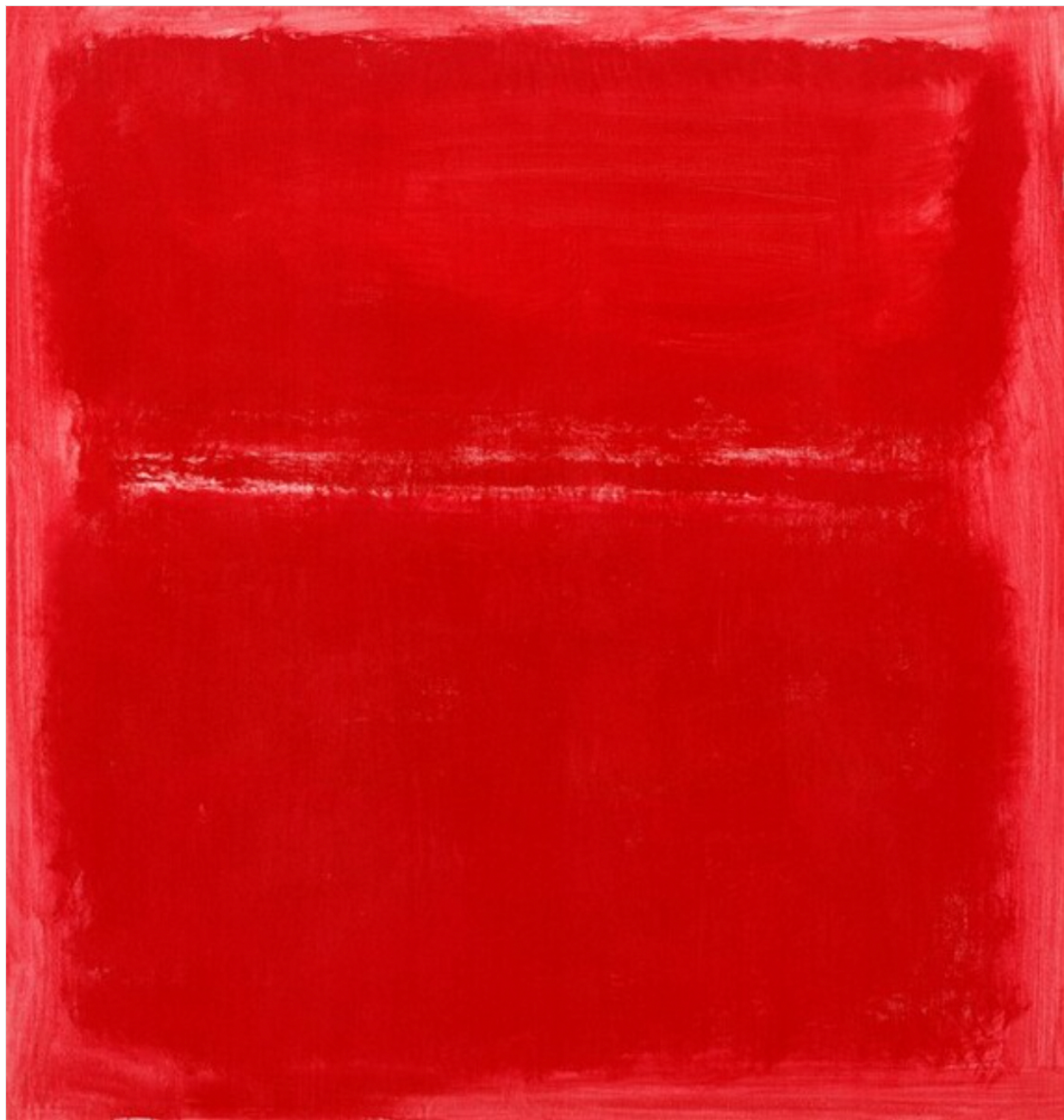


UNFINISHED RED

Written by
MATTHEW WALKER

Based on the book The Legacy of Mark Rothko

by
LEE SELDES



Untitled, 1970

Mozart soars.

Close, close, on thin paint sweeping across canvas. Soaking into the weave, a wash propelled by a fast, wide brush.

Cigarette smoke swirls like clouds above a landscape. Layers of paint, shining and wet, over a matte underlayer.

A brush feathers at the boundary of a form, traces of bright cerulean and green under a heavy veil of burgundy.

Half in shadow, a MAN in his 60s sits watching - entranced, moved, his eyes wet behind thick glasses. A sudden FLASH illuminates his features.

But no one is painting now in the massive studio space in which he sits: he is remembering. He takes a long drag off his cigarette, as another camera flash goes off.

MAN'S VOICE (O.S.)

Rothko. Ah, Rothko!

MARK ROTHKO, 66, summons himself back to the present - February 1970. The Mozart is just a worn LP on his stereo.

Across the room, a clerkish man with a camera tries to get his attention. MORTON LEVINE, 48, stands by several large paintings in shades of grey.

LEVINE

That's the last of 'em, right?

Rothko nods and pours himself another scotch. Levine approaches and retrieves his lens cap from Rothko's table.

LEVINE (CONT'D)

I'll get these processed and add 'em to the list. I think I know more about your inventory than you do...

Levine grins, hopeful for a response - but none comes. The Mozart comes to an end: the hiss at the center of the record.

Rothko lights another cigarette.

LEVINE (CONT'D)

Well. I'll see you later. You, ah, might want to slow down. Your accountant's here.

Levine heads off, nodding in greeting to a statesmanlike, white-haired man in a business suit - BERNARD REIS, 75.

Reis stops the record player.

REIS
Did you get a chance to look at
those papers? There's a -

ROTHKO
You handle it. Whatever you say.

Reis can see right away Rothko is in a dark mood. He sits.

REIS
Has that new stuff helped? The...
chloral hydrate?

But Rothko doesn't answer. Reis watches Rothko smoke.

REIS (CONT'D)
It's Mell that's got you like this.

Rothko pours another drink.

REIS (CONT'D)
Let me file for divorce. This half-
in, half-out -

ROTHKO
No, Bernie, drop it.

REIS
Then why don't you -

ROTHKO
I can't go back. It's - she's
drinking again. You know.

Reis eyes Rothko's own drink.

REIS
Little Topher's good?

Rothko's eyes light up.

ROTHKO
The best.

REIS
And Kate, she's okay in Brooklyn?

ROTHKO
Sounds like it.

REIS

Well. I wanted to remind you Frank Lloyd's coming tomorrow at ten. You might want to have your assistants -

ROTHKO

Here?

REIS

Yes, I told you all of this. He wants to see the recent work but also, remember, what's in storage -

ROTHKO

Jesus Christ!

REIS

He wants to sell you. And you know the brighter color's what sells, all this grey and black and -

ROTHKO

No. I don't want him near my storage. Those paintings can't be split up. They belong together.

REIS

All right. But he sells to the highest tier. Mellons. Rockefellers. Your work deserves -

ROTHKO

What are they seeing, when they spend all these thousands? Are they moved that much? Or do they just want something to match the curtains. Or worse, do they just want to own a Rothko?

REIS

There's worse things.

ROTHKO

Nothing's worse.

REIS

Poverty.

ROTHKO

I don't want that creep in here.

REIS

Well he has to come by, Rothko, you
can't turn a man like Lloyd away.
Let him come, then tell him no.

Rothko reaches for his bottle, but it's empty.

2

INT. ROTHKO STUDIO - EAST 69TH STREET, BACK ROOM - EVENING 2

THEODOROS STAMOS, 47, a sharply-dressed man with a thick,
dark mustache, strolls into the wide studio space rubbing his
hands together, cold.

He finds Rothko heating up rabbit-skin glue, his worktable a
mess: eggs lay scattered around, pigment, coffee cans of all
sizes. A prepped squarish canvas leans against the wall.

STAMOS

What are you doing? That's what
assistants are for. C'mon, let's go
out. There's a party at the Meisels-

ROTHKO

Parties. Not tonight, Stemmie.

STAMOS

Come on, I walk in with you and
we'll be treated like gods, Rothko
and Stamos. The two pillars -

ROTHKO

How can you stand being in the same
room with those kids?

STAMOS

The pop stuff's just a fad.

ROTHKO

They're everything that's wrong
with the world. They couldn't feel
something real if they tried.

STAMOS

Okay, don't get worked up. Kids
grow up -

ROTHKO

And more kids come behind them. You
go play Sisyphus then. We've given
them more than they could ever...

He trails off. Stamos eyes the canvas, the cans of colored
paint on the table.

STAMOS
Going back to red?

ROTHKO
I don't know, Stemmie. Lemme work.

Rothko pours himself another drink, from a new bottle.

3 INT. ROTHKO STUDIO - EAST 69TH STREET, FRONT ROOM - NIGHT 3

KATE (ON PHONE)
Hello? Dad?

Phone to his ear, Rothko sits in his spartan, shabby living quarters at the front of his studio. We hear the disgruntled voice of his daughter, KATE ROTHKO, 19.

ROTHKO
Hey Katie. You okay?

KATE (ON PHONE)
Dad. I gotta sleep, I have an exam in the morning. Is everything -

ROTHKO
Have you heard from Mom?

KATE (ON PHONE)
Yeah, she's... why don't you just go see her, Dad?

Rothko doesn't answer.

KATE (ON PHONE) (CONT'D)
Dad... the other day, when I came to your studio...

This hangs for a silent beat: tension and pain behind the silence. She lets out a sigh.

KATE (ON PHONE) (CONT'D)
...I gotta go.

ROTHKO
I love you, Katie.

KATE (ON PHONE)
Love you too, Dad.

Rothko pours himself another drink, chases down some pills.

4 INT. ROTHKO STUDIO - EAST 69TH STREET, BACK ROOM - NIGHT 4

Cigarette dangling, Rothko puts on a Mozart record. In the vast, dim space, he sets the prepped canvas on an easel.

GIRL'S VOICE (O.S.)
Lemme see, lemme see!

He turns towards the doorway to the front of the space - but instead of his own dim rooms, the doorway frames his daughter's bright BEDROOM in their BROWNSTONE, BACK IN 1962:

A healthier, happier Rothko, 59, holds a squarish canvas. YOUNG KATE (12) looks up at him, squirming with impatience.

Rothko watches the memory with a widening, haunted grin...

5 INT. ROTHKO BROWNSTONE, KATE'S ROOM - DAY 5

ROTHKO
It might be a mistake though -
maybe this is for some other Kate?
Maybe at MoMA...

YOUNG KATE
It says *To Kate Rothko* right there!

ROTHKO
So it does! Hmm. Who wrote that?

Rothko glances out the door with a grin, to where his wife MELL ROTHKO, 41, stands just outside the threshold, holding BABY TOPHER, just a few months old.

Dramatically Rothko flips the canvas around...

Kate beams. The painting is lush: vivid reds and oranges.

YOUNG KATE
Oh Dad, I love it!

ROTHKO
And Mom! Happy birthday, Katie.

Kate pushes past Rothko to give Mell a kiss.

YOUNG KATE
Thank you.

MELL
Happy birthday, sweetheart. All
right, this little guy needs lunch.

ROTHKO
Well - let's find a home for it.

They exchange a look: there's only one spot it can go.

ROTHKO (CONT'D)
Here, help me with this.

They each lift an end of her desk to move it to the other side of the room. Then the bookshelf. The nightstand. The bed- until one wall is completely bare.

Rothko hangs the canvas on two nails and steps back to join Kate. All the furniture is now crammed, hodgepodge, into the other side of the room - much to Kate's delight.

Yet something's still not quite right.

ROTHKO (CONT'D)
Hang on. Close the curtains.

Kate climbs through her jungle of furniture to comply while her dad moves the lamp. There: much better.

They sit side by side on the bed, admiring Kate's painting.

ROTHKO (CONT'D)
Can I tell you a secret? Before a show, before the doors open and everyone comes in - I feel awful. Sick. Just wretched. I used to act when I was young and it was the same feeling right before the curtain went up. I want so badly for everyone to be moved. And I worry, what if they don't? But *this* I painted just for you. And that's so much better.

Kate grins.

ROTHKO (CONT'D)
The best feeling in the whole world is knowing you reached someone.

Rothko looks at his daughter.

ROTHKO (CONT'D)
A picture has to be miraculous. So the most important tool an artist has - and it takes lots of practice- is faith. In yourself. That you can make miracles, when they're needed the most.

Kate looks up at her Dad, absorbing this.

ROTHKO (CONT'D)

There's more power in telling
little than in telling all. But
everything I could ever hope to
give you is in there. I know you'll
hear it. Even if it whispers. The
more you give it, the more it'll
give you back. Do you know what I
mean?

She nods, earnestly. He kisses her on the forehead and rises.

He moves off down the hall, then glances back -

Kate still sits entranced in front of her painting. He
smiles, touched...

6 INT. ROTHKO STUDIO - EAST 69TH STREET, BACK ROOM - NIGHT 6

...and we see the same look on Rothko's gaunt face in 1970,
as he gazes towards the front of his studio, where the memory
of Young Kate in her room still occupies the doorway.

Mozart echoes in the cavernous space. He turns away from
Young Kate towards the huge, dim studio.

His expression grim, he moves to the waiting canvas. In one
hand a coffee can of paint, in the other his brush, his
cigarette hanging at the corner of his mouth.

We don't see the canvas as he works, just his face as it
floods with emotion: electric, ecstatic.

He knows this is his last painting.

Thin RED PAINT sits in a bucket, spattered on the kraft paper
surface of the worktable.

A RAZOR BLADE lies amid the paint spatters.

The Mozart piece ends, replaced with the static at the inside
of the record. Soft crackling hiss.

We see what he's just painted: *Untitled 1970, (Red, red on
red)* [834], sits on the easel.

FADE TO BLACK.

7

INT. ROTHKO BROWNSTONE, PARLOR - DAY

7

A SHIVA CANDLE burns on the coffee table. TOPHER ROTHKO, 6, sits stoic and silent in the middle of the sofa, wearing a suit that's much too large, watching the flame.

On either side of him, black-clad MOURNERS whisper.

MOURNER 1

With a razor blade, I heard!

MOURNER 2

And all alone. No note, nothing.

KATE ROTHKO, a shy, introspective 19-year old, spots her little brother and weaves through the guests to rescue him.

KATE

Topher. Come on.

She takes his hand and leads him through the crowd, avoiding everyone's pitying looks. Her own eyes are raw and swollen.

Levine, picking at hors d'oeuvres with his wife, ANNE, 40, shifts out of their way, mumbling an apology.

Kate and Topher settle on the stairs.

KATE (CONT'D)

Don't listen to what they're saying, okay?

TOPHER

Who are they?

KATE

...Art people, I guess.

In silence, they watch the surreally packed room, all the dark figures smoking and drinking and whispering.

For a moment Kate makes eye contact with their mother, MELL ROTHKO, 48, a cigarette in one hand and a drink in the other, somehow managing elegance even as she receives an endless stream of condolences.

TOPHER

He was supposed to take me skating.

Kate looks over at Topher in surprise, her heart breaking - but before she can speak, a MAN addresses them.

LLOYD

Ach. You must be...?

Kate looks over at the elegantly dressed man, a flower in his lapel, a slight Austrian accent: FRANK LLOYD, 59. There's nothing mournful in his attitude - as if he were merely out for a stroll.

KATE

Kate. And this is Topher.

LLOYD

Such a loss, such a genius. I'm sure you'll miss him. Lovely home.

He eyes a Rothko on the nearby wall as he moves off.

TOPHER

Who was that?

KATE

I don't know.

Kate rises and walks to the painting Lloyd had been studying. Nearby, Stamos holds court with a group of younger men.

STAMOS

Oh, we were in the thick of it, Rothko and I. Those early days were wild. Ask de Kooning or Motherwell, they're around here somewhere...

Tears form in Kate's eyes as she looks at the painting, remembering. The sound of the reception around her fades.

Kate looks down and sees a girl at her feet: YOUNG KATE, 9 - herself when she was younger. She sits on the floor in her nicest dress, flipping through a 1959 *Life* magazine...

YOUNG KATE

Daddy, you're in here with Charlton Heston!

MELL (O.S.)

Katie! Get up, you'll get dirty!

Kate turns -

And we're in Rothko's studio in 1960, ten years prior. Across the room, Rothko, 56, and Mell, 39, stand by a massive painting in deep, stately wine-colored tones: one of Rothko's *Seagram Murals*.

19-year old Kate watches, her expression bittersweet, as Young Kate rises, grinning. The same painting Kate was looking at in 1970 leans against the wall.

ROTHKO

The question is how it'll work in the space. In here I can only see two at a time.

MELL

We have to go. Come on, where's your jacket? We're late.

ROTHKO

Three years of work, they can hold our table.

MELL

Come on Katie!

Mell can see that Rothko's anxious.

MELL (CONT'D)

Bunchy, they're - exquisite.

Rothko looks down as Young Kate comes to their side.

ROTHKO

Remember those temples we saw in Paestum? That feeling of gravitas. Timelessness. What do you think?

Kate watches the adoration on her younger self's face, the enthusiasm in her father's voice.

YOUNG KATE

It's marvelous, Dad.

MELL

Bunchy!

ROTHKO

Okay, okay.

He moves off to grab his jacket. Mell turns to Young Kate.

MELL

Best behavior, young lady. This is the fanciest restaurant in Manhattan, in the most important new building in the world.

Grinning, she lowers her voice to a stage whisper.

MELL (CONT'D)

And they paid your Dad a *fortune*.

Rothko, now with his jacket on, takes Kate's hand.

ROTHKO

So we should order the works. This whole thing's on them.

YOUNG KATE

Shirley Temple?

ROTHKO

Two!

Both Kates beam with joy.

9 EXT. SEAGRAM BUILDING - DAY

9

Kate watches as Young Kate follows her parents out of a TAXI and looks up in awe at the sleek, monolithic building.

10 INT. FOUR SEASONS RESTAURANT - DAY

10

Bright, jazzy vibraphone music. Bubbles rise in a glass of bright red soda.

Young Kate sips her Shirley Temple in delight. Mell and Rothko have MENUS, but Rothko has hardly glanced at his, as he takes in the room.

MELL

My God, the prices. Sit up Katie. Slow down, don't fill up.

Mell leans over to Rothko and whispers.

MELL (CONT'D)

I think I see Tony Bennett.

She realizes Rothko is actually fuming, silently enraged. He stares at a bunch of AD EXECUTIVES with martinis.

MELL (CONT'D)

Bunchy...?

Young Kate picks up on her Mom's tone of voice and starts watching her Dad too: something's up. Rothko grabs a passing WAITER and points to Young Kate.

ROTHKO

Get her another Shirley whatzit.

Mell and the Waiter both glance at her nearly full glass.

MELL Honey!
 WAITER But - Yes sir.

Rothko turns to Mell as the Waiter moves off.

ROTHKO
 Do you see this place? I don't know
 how I let Reis talk me into this.
 They want to put them in here!

MELL
 Well - who could've said no to a
 check like that.

At a nearby table a WOMAN IN HER 70s, dripping in jewelry,
 emits a low belch. A shrimp tail is stuck to her lip.

Rothko slams his hand on the table. Mell's eyes widen.

MELL (CONT'D)
 Bunchy...

ROTHKO
 Nope. Nope. No way in hell. We're
 leaving. Now. Right now.

MELL
 But... they already...

ROTHKO
 We'll just have to pay it all back.

Just as Rothko stands, the Waiter arrives with the Shirley
 Temple. Rothko beckons for Mell and Young Kate to follow.

ROTHKO (CONT'D)
 Come on. Take it with you - take
 them both.

Young Kate gapes: seriously? Awesome!

WAITER
 Ah - sir?

ROTHKO
 They don't want my work...

His voice raises, so that the entire dining room can hear:

ROTHKO (CONT'D)
 They want WALLPAPER!

They weave through the tables towards the stairs: a little parade, Rothko striding out, Mell following after and smiling apologetically at the other diners, Young Kate carrying both Shirley Temples in triumph, pursued by the confused Waiter...

Kate from 1970, laughing, watches her younger self brush right past, then turns -

11 INT. ROTHKO BROWNSTONE, PARLOR - DAY 11

Kate, laughing out loud, glances over - two black-clad Mourners are staring at her in shock.

Her smile fades - and the grief suddenly hits her, overwhelming. She slips away up the stairs.

12 INT. ROTHKO BROWNSTONE, FOURTH FLOOR STUDIO - DAY 12

As she ascends Kate hears a MAN'S VOICE on the floor above.

She goes up that flight too and enters a small studio space:

Rothko, from 1962, stands inside smoking. He looks over to Kate with a grin, happy and surprised to see her -

REIS (O.S.)

Ah, Kate.

Kate glances over - Reis and his wife BECKY, 70, wealthily dressed, are looking through paintings leaned against the wall. Her father, of course, is not there.

KATE

Mr. Reis?

Becky looks startled and guilty. Reis doesn't miss a beat.

REIS

Your father was such a talent. Such a talent. But don't worry. You'll be taken care of.

They move off and Kate stares after them...

13 INT. ROTHKO BROWNSTONE, PARLOR - NIGHT 13

Kate cleans up from the reception, gathering up glassware and plates, assisted by Becky Reis and Anne Levine.

Kate pauses by the stairs down to the kitchen - she can hear raised, tense voices below.

STAMOS (O.S.)
Mell, he said this! All the time!

Curious, Kate heads downstairs...

14 INT. ROTHKO BROWNSTONE, KITCHEN STAIRS - NIGHT (CONTINUOUS) 14

...and lingers, listening. Stamos, Levine, and Reis stand tensely around Mell in the kitchen.

MELL
Come on, you're full of it. Maybe
once or twice, it wasn't a -

STAMOS
I know from the bottom of my being!

LEVINE
I - really, ah, I don't think he
wanted to give out handouts.

STAMOS
You don't know anything. You're not
an artist.

LEVINE
We talked all the time! He - we - I-

MELL
Stemmie, please. Stop. He said a
lot of things.

REIS
What matters is what's on paper.
And we'll just have to track that
down -

Reis breaks off, noticing Kate. She steps fully into the room and sets the glassware in the sink. The air's thick with cigarette smoke.

MELL
Katie should know about this.

Kate notes yet another drink in her mom's hand - but today's not the day to judge.

REIS
In his will your dad left
everything to a charity he set up.
The Mark Rothko Foundation. He
chose us to be the directors.
Stamos and Mr. Levine and I.

KATE
What kind of charity?

STAMOS
That's what we're - *discussing*.

REIS
There's nothing for you to worry about. The house he left to your mom and all of you will be taken care of. There's a probate petition process -

Mell would rather do anything than talk about this.

MELL
Just do it for the kids. I don't want anything.

Kate tries to follow. She looks at Stamos.

KATE
So the, ah, Foundation. That's - the paintings?

REIS
It's the estate as a whole. His assets, significant debts, and there's a very heavy tax burden -

STAMOS
Which is why I've been saying -

MELL
Please for the love of god can we not talk about MONEY! On this day!

The room goes silent. Mell turns to Kate.

MELL (CONT'D)
I made up your old room, Katie. I can finish up.

Kate wants to ask more but the look on her mom's face begs her not to.

KATE
Okay, Mom.

STAMOS
Night, Katie.

KATE
Goodnight.

Kate goes around the corner but lingers again, out of their sight, listening.

REIS STAMOS
I apologize. I know it's a lot. Sorry Mell.

MELL
You should hear yourselves.

STAMOS
I've known him for 25 years.

MELL
He's my *husband*!

STAMOS
I loved him, Mell. Like a brother.

MELL
It's not a fucking contest! He's
gone! He's not here to tear in half
anymore.

LEVINE
Mell.

MELL
He's fucking gone.

15 INT. ROTHKO BROWNSTONE, KATE'S ROOM - NIGHT

15

Kate steps into the room and turns on the light. Clearly she hasn't been here in a long time - but the painting her father gave her still hangs on the wall.

She approaches as if it were an old friend.

With a sigh she shifts boxes away until the wall is clear, as her dad wanted it. Then sits on the bed and regards it.

A noise behind her makes her turn - the reverse of what we saw from her dad's perspective when he gave her the painting: out in the hall, 1962 Rothko grins and turns away.

She quickly rises - but the hallway's empty. No one's there.

She lingers, looking at the empty hallway.

16 INT. REIS TOWNHOUSE, STUDY - DAY

16

Close on a check being filled out, from the MARK ROTHKO FOUNDATION. Made out to: Morton Levine.

Reis sits at a sumptuous desk in his elegant study. Paintings by Abstract Expressionist masters line the walls: Motherwell, Still, Kline, Rothko.

Levine sits stiffly nearby, a LARGE METAL BOX at his feet. Reis tears out the check and hands it to Levine.

REIS
For the photos and research.
Coffee?

Levine looks down at the check, deliberating.

LEVINE
Ah. No thanks...

Stamos stands on the far side of the room, admiring Levine's art collection.

STAMOS
Cream and sugar, please.

Reis turns to his maid, MARIBEL, waiting in the doorway.

REIS
Thank you, Maribel.

LEVINE
Oh. Well if -

But it's too late - Maribel's already gone. Levine looks back down at the check, which he still hasn't put away.

REIS
That's correct, isn't it?

LEVINE
Yes, - I, I just - I was wondering
if - if there's a way I could -

Reis grins.

REIS
You're - encountering some
financial hardship.

Stamos glances back at them with a smirk.

STAMOS

And you were the one who said the
Foundation wasn't for handouts -

Reis holds up his hand - quit it, Stamos.

REIS

Let's call it - an advance for
expenses? Ten thousand?

Levine brightens.

LEVINE

Yes, that would be -

Reis's look becomes pointed.

REIS

As a favor. From the Foundation.

LEVINE

Whatever you say.

Stamos picks up a framed photo from a nearby table: Reis
shaking hands with John F. Kennedy.

The Maid returns with coffee - for two. Cowed, Levine looks
at the tray longingly. Just as he begins to ask for a cup -

The doorbell rings. Reis shoos the Maid off.

REIS

One more for our guest.

He stands and leaves the room. Stamos quickly fixes his hair
and mustache, chooses a pose for when Reis re-enters with
their guest. Levine quickly tucks his checks away.

Reis returns with Frank Lloyd.

REIS (CONT'D)

We're all in here... Frank Lloyd.
From the Marlborough Gallery London-
and now, New York.

LLOYD

Gentlemen.

REIS

This is Dr. Morton Levine, the
Foundation's resident archivist if
you will -

LLOYD

Ah, you're the one that made the inventory. The slides!

LEVINE

I actually met you at the funeral reception, but - yes, they're right here -

REIS

And the painter Theodoros Stamos. Perhaps you already -

LLOYD

Of course! A great admirer of your work, sir. Simply marvelous. We need to talk, you and I!

Lloyd winks. Stamos practically blushes, instantly charmed.

STAMOS

Whenever you'd like!

REIS

I think we're all going to find Mr. Lloyd to be quite invaluable.

17

INT. MARLBOROUGH NEW YORK, MAIN GALLERY - DAY

17

Kate moves through the gallery, where a gala reception is in full swing - THE MARLBOROUGH PRESENTS MARK ROTHKO: 1903-1970. Even in her nicest clothes she's woefully underdressed compared to the wealthy, fashionable people here.

A SERVER offers her a tray of champagne flutes, but she recoils and turns away.

She moves through the guests towards the nearest Rothko: hung five feet off the floor on a frost-white wall. She shakes her head in shock.

ROTHKO (O.S.)

No no. Way too high!

Kate looks over - the guests thin, and beyond them she spots her father, as he was in 1961. She walks closer, into her own memory, Marlborough morphing into MoMA. Her dad directs INSTALLERS.

ROTHKO (CONT'D)

Down down down. There you go. High up like that it's a dead thing. Down here it wraps around you, see?

Rothko turns to Mell and Young Kate. He's a ball of nerves.

ROTHKO (CONT'D)

Rubin said they repainted the walls
again but -

MELL

They're too stark.

ROTHKO

You see it too, right?

Young Kate nods, happy that dad's asking her opinion.

ROTHKO (CONT'D)

And cold, they need some warmth in
there. They're putting them up like
they're-

He stabs a cigarette into his mouth, an anxious reflex - but
Mell plucks it from his lips. Gently -

MELL

Bunchy. The whole show is you. MoMA
can paint again.

Rothko holds a look with Mell for a moment: what would I do
without you. He kisses her on the forehead. Out of the corner
of his eye he spots the Installers carrying a canvas away.

ROTHKO

Hey! Those need to stay together.
They're a family.

Kate, from 1970, smiles. She stands off to the side, watching
the family together.

INSTALLER

We'll have to re-aim the lights.

ROTHKO

No no, I'll show you. You bounce
'em up into the ceiling. Where's
that ladder.

MELL

Careful Bunchy.

Mell grins down at Young Kate as she drops Rothko's cigarette
into her purse.

Well-dressed people begin to pass in the foreground -
obscuring Rothko and the Installers - the present flooding in
over the past.

MELL (CONT'D)

Katie! Kate! –

Kate turns - it's her mom, in the present, with an empty champagne flute. They navigate through the guests towards each other.

MELL (CONT'D)

They're...

MELL (CONT'D)

...too high on the walls.

KATE

Too high on the walls!

They both grin. Mell lovingly looks over her daughter, adjusts Kate's hair.

MELL (CONT'D)

You look nice. We have to get you a better dress -

This is definitely not a subject Kate wants to talk about.

KATE

Wait, that's not Dad's.

Mell turns to follow Kate's look.

MELL

It's a Stamos.

KATE

Stemmie's stuff's in here too? Why?

MELL

I know. He must've blown somebody.

KATE

Mom! Some of Dad's I've never even seen before.

MELL

Ugh - here comes Bernie.

Reis approaches them, strangely radiant, proud.

REIS

Mell! Welcome. The Foundation at work. Tremendous, isn't it?

Mell stares at Reis.

MELL

What's got you so rosy-cheeked?

Kate's always a little intimidated around Reis. Shyly:

KATE

Um - Mr. Reis? I noticed *Homage to Matisse*. I -

REIS

I'm sorry?

KATE

Homage to Matisse. I was wondering -

REIS

Which one's that one?

KATE

The tall one, there. It used to be in the house. When this is over, will it go back to Mom's, or -

REIS

Well the whole show's traveling overseas.

(to Mell)

Have you seen Stamos yet?

KATE

But, after?

REIS

You never know.

(to Mell)

The Foundation has very clear guidelines, you know.

MELL

They weren't very clear when you were bickering in my kitchen.

REIS

Our main purpose is grants to artists. Ah - excuse me, will you -

He moves off. Kate tracks him as a well-dressed man greets him warmly: Frank Lloyd.

KATE

Who is that guy? With the flower. I saw him at the house.

STAMOS (O.S.)

Mell, darling!

Mell's face falls as she turns to Stamos.

MELL
You're wearing his goddamn hat.

STAMOS
For luck!

Stamos has no idea how appalling this is. He waves to his paintings, breathless with pride.

STAMOS (CONT'D)
What do you think? It's wonderful,
isn't it? So many -

MELL
Give it back.

STAMOS
What?

MELL
Give. It. Back!

Mell wrestles the hat away, nearly falling in the process.

STAMOS
Mell! Mom!

KATE

Stamos straightens and glares - they're making a scene. Elegant guests are stare at the swaying woman and the under-dressed teenager.

STAMOS (CONT'D)
I think, you -

MELL
I *what*?

KATE
Mom - maybe - let's get out of
here.

18 EXT. MARLBOROUGH NEW YORK, 57TH STREET - DAY

18

Mell and Kate stand on the sidewalk outside. Mell smokes, looking down at her husband's hat.

MELL
What a mess he left. If everyone
loved him so much, why wouldn't
they do what he'd want?

KATE
Maybe they're trying.

MELL

Maybe they never really gave a
shit. Because all they can think of
is themselves.

She lights a new cigarette from the stub of her old one,
knowing she looks like the mess she is.

MELL (CONT'D)

Why couldn't he have just... been
happy.

They look at each other in silence, desperately sad.

MELL (CONT'D)

When was the last time you saw him?

Kate hesitates, darkening. She pushes the memory away.

KATE

I can't, Mom. Here. There's a taxi.

Kate helps Mell into the back seat.

MELL

You want to come home? Topher's
over at the Greens.

KATE

No mom, I should get back.

MELL

Ride with me, then. Honey.

KATE

The QB's two blocks away.

MELL

It's dangerous, the subway by
yourself.

KATE

Mom.

MELL

I love you.

KATE

Love you too, Mom.

She watches her Mom's taxi pull away, then Kate begins to
walk towards the subway, thoughtful.

A woman's voice shouts out -

WOMAN (O.S.)

Mark! *Mark!*

Kate turns - and the street she's on is now back in 1962. Young Kate, 11, and Rothko, 59, have just come out of the movies (*The Music Man*) but the shout has made them both turn.

WOMAN (CONT'D)

Mark - how are you! I want you to meet someone. Fellow artists and all - Andy Warhol, this is Mark Rothko. Andy just had a solo show -

Rothko stiffens at the sight of smiling ANDY WARHOL, 34. Without saying a word he grabs Young Kate's hand and turns and walks away.

19-year old Kate grins at the shocked faces of Warhol and the Woman and turns to follow her younger self and her Dad.

YOUNG KATE

Who was that, Dad?

They round the corner and Rothko stops, leans down so he's closer to Young Kate's eyes.

ROTHKO

Dad was just rude. Yes. You should never be rude to people like I was... Unless they're like him. I want you to remember something, Katie. Some people are hollow. Beware of them. If you find one, don't even give them the time of day. All they care about is spreading nothing. Til it's *all* hollow, til it fills the world.

Young Kate nods, earnestly.

YOUNG KATE

I'll remember. He's a painter too?

ROTHKO

Eh. He makes art. But it's about nothing.

YOUNG KATE

You make art about everything.

Rothko grins.

ROTHKO

Let's go get ice cream.

Smiling, Kate watches Young Kate and her father walk off.

19 INT. KATE'S BROOKLYN APARTMENT - DAY 19

Kate wakes in her meager college student's apartment...

Then leaps out of bed - *Shit!* She's overslept. She quickly pulls on pants, grabs her books...

20 INT. KATE'S BROOKLYN APARTMENT, STAIRWAY - DAY 20

As Kate runs down the stairs she waves to her startled, disapproving LANDLADY, an Eastern European woman in a wig...

21 INT. BROOKLYN COLLEGE HALLS - DAY 21

Kate rushes to her classroom, but just as she gets there -

The door bursts open, STUDENTS eyeing her as they pour out into the hall. She's missed the whole class.

But as she catches her breath, she notices a signup sheet: LEARN TO SPEAK RUSSIAN. A boy her own age crosses his name off the list, then notices she's waiting.

ILYA

Oh - sorry.

He steps away so Kate can sign up. She hesitates - if she does, she'll be the only one. She signs - but when she turns, the boy, ILYA PRIZEL, is still there.

KATE

Sorry.

He steps back up to the list and sheepishly re-signs his name. Then grins, speaking with a slight Ukrainian accent.

ILYA

I didn't want to be the only one.

They smile at each other shyly: she's found a kindred spirit. And a good looking one.

COLLEGE ADMINISTRATOR (O.S.)

Kate Rothko?

They turn. A school ADMINISTRATOR approaches down the hall, his expression grim - and behind him a TEACHER, tears streaming down her face. Kate's face falls. She knows that look all too well.

22 INT. ROTHKO BROWNSTONE, PARLOR - DAY

22

Topher sits on the same couch, in the same black suit, between the same two black-clad Mourners.

MOURNER 2

A stroke at 48.

MOURNER 1

It just shows, you never know.

Unlike Rothko's reception, the house is almost empty, just a handful of relatives.

Anne Levine, hugely pregnant, slowly descends the stairs and sets a SUITCASE down by the couch. Her eyes meet Topher's for a second - she quickly looks away and moves off.

Topher stands and we move with him as he finds Kate, wearing the same black dress she wore before, looking at a photo of Mell with Rothko in happier times.

TOPHER

There were so many people for dad.
Didn't they know mom too?

KATE

Yeah, they did.

He goes and sits where they sat before, on the stairs.

A woman's voice calls from the back of the brownstone.

ANNE LEVINE (O.S.)

Kate, can you come down here for a minute?

23 INT. ROTHKO BROWNSTONE, KITCHEN - DAY (CONTINUOUS)

23

Kate descends the stairs into the kitchen - where it's 1964. Mell turns from the counter and looks straight at 19-year old Kate.

MELL

Take Topher, will you?

Rothko stands at Mell's side, one arm wrapped around her waist. Stamos, 41, sway-dances around the kitchen, holding one-year-old Baby Topher.

Young Kate, 13, pushes past Kate and takes Baby Topher from Stamos. She glances curiously at the grown-ups as she sits at the table: there's a weird celebratory energy in the room.

Three stemmed glasses stand on the kitchen table. Stamos resumes mixing Manhattans in a cocktail shaker.

STAMOS

Your Dad has some big news...

Mell laughingly pushes Rothko away from where she's cooking.

MELL

Come on, I'll burn the house down.
Tell Katie. It's a new commission.

Rothko turns to Young Kate, excited and happy.

ROTHKO

A chapel. No denomination - no religion. No iconography. A spiritual space, for contemplation. And it'll literally be built around my work. Remember that basilica near Venice? The octagon?

Stamos hands Rothko his Manhattan.

STAMOS

Matisse has a chapel.

MELL

Don't forget Michelangelo.

STAMOS

And now - Rothko. What did Kunitz call you?

MELL

"The Last Rabbi of Western Art."

Rothko grins. Kate, watching from the stairs, grins too. Rothko hands Mell her drink. It suddenly strikes him:

ROTHKO

I'm gonna need a new studio. That basement's way too small.

STAMOS

Remember back on Sixth Avenue?

MELL

That tiny little room! I'm so glad, Bunchy.

Anne Levine, in black, passes Kate and walks right between Rothko and Mell -

GELLER (O.S.)

Kate, have a seat.

Startled, Kate looks over - instead of Young Kate and Baby Topher, a man in a suit is sitting at the kitchen table, staring at her. Her mom's attorney, STAN GELLER, 60s. And next to him, instead of Stamos, Mr. Levine.

She glances back by the sink and her Mom and Dad are gone: Instead, Anne Levine is filling a glass of water.

Kate slides out a chair and looks at Levine as she sits.

KATE

Did - Stamos come today?

LEVINE

No, I ah. Don't think so.

Kate takes this in.

GELLER

We need to finish talking about Topher, Katie.

KATE

Can't I just move back here with him?

LEVINE

Couldn't that work? We could just - supervise from afar... Anne's due any day now -

ANNE LEVINE

What are we gonna do with a six-year-old, you know?

KATE

Seven on Monday. It's his birthday.

GELLER

When will you be twenty-one?

KATE

Next December.

GELLER

You may be living on your own, but legally you're still a minor. I know it's a strange situation, but - the Levines are the ones named as Topher's guardians.

The Levines exchange a look - none too happy about it.

GELLER (CONT'D)

And the house, unfortunately...
will have to be sold. But I want
you not to worry. You and Topher
will be ta-

KATE

(bitterly)

...Taken care of.

Kate looks at the Levines, who stare back, equally shell-shocked.

KATE (CONT'D)

I'll tell him.

24 INT. ROTHKO BROWNSTONE, PARLOR - DAY

24

Topher still sits on the stairs, but his head leans against the wall - he's nodded off.

Kate sits alongside and his eyes groggily open.

Fighting back tears, she tries to smile for his sake.

25 EXT. ROTHKO BROWNSTONE, EAST 95TH STREET - DAY

25

Kate steps out of the passenger seat of a CHECKER TAXI and squints up at her family's brownstone. Ilya steps out of the driver's seat and pulls some flattened boxes from the back.

KATE

Thanks again for doing this.

ILYA

Of course. I just gotta get it back
by two. This is the one?

KATE

This is the one.

For a moment Kate sees Young Kate, gazing dreamily out the front window.

Kate sighs and pulls the keys from her pocket.

26 INT. ROTHKO BROWNSTONE, PARLOR - DAY 26

Kate enters, with Ilya close behind - but as she turns on the lights she stiffens in shock. Furniture has been stacked on one side of the room. All the art is missing from the walls.

KATE
Someone's been here.

She runs upstairs.

ILYA
Kate?

27 INT. ROTHKO BROWNSTONE, FOURTH FLOOR STUDIO - DAY 27

Breathless, Kate pushes the door open: the room has been cleared out. Every canvas is missing.

As she gapes in shock, Ilya appears behind her.

KATE
It's all gone.

Suddenly she has an even worse thought. She darts past Ilya.

28 INT. ROTHKO BROWNSTONE, KATE'S ROOM - DAY 28

Her painting is GONE.

She stares in disbelief, gutted.

Ilya steps into the doorway behind her.

ILYA
Who else has the keys?

Kate's face fills with rage: the final straw. She pushes past Ilya, out into the hall.

ILYA (CONT'D)
Kate?

29 EXT. UPPER EAST SIDE STREETS - DAY 29

Kate RUNS through the Upper East Side...

30 EXT. ROTHKO STUDIO - EAST 69TH STREET - DAY 30

Kate rushes up to the outer door, pulling the keys from her pocket. But she freezes as she sees a new, shiny brass plaque by the door: "THE MARLBOROUGH STUDIO - by appointment only"

She tries her keys but they don't fit. The locks have been changed. She turns, her anger building, to the townhouses across the street.

31 EXT. REIS TOWNHOUSE - DAY 31

Breathless, soaked in sweat, Kate pounds on the front door. Becky Reis swings it open: she's never seen this shy girl like this before.

BECKY REIS

Katie!

KATE

Is Mr. Reis here?

BECKY REIS

Well - Yes. They're meeting - what on earth -

Kate pushes past, furious.

32 INT. REIS TOWNHOUSE, MAIN FLOOR - DAY (CONTINUOUS) 32

Kate storms through the house, pursued by Becky Reis. She spots Reis out back in the elegantly manicured garden.

33 EXT. REIS TOWNHOUSE, GARDEN - DAY (CONTINUOUS) 33

Reis turns as Kate charges out. Levine and Stamos, going over some paperwork, look up in surprise.

REIS

Kate! What's -

KATE

You took MY painting! Out of MY room!

REIS

Honey, honey, calm down. There's nothing to get -

KATE
Where are they?

REIS
Storage. We're having them cleaned.
Photographed.

His easy manner stops her cold. She glances at Levine and Stamos, her cheeks beginning to flush: maybe she overreacted?

KATE
...Shouldn't you have told me?

Reis rolls his eyes and grins at Stamos and Levine.

REIS
Have a seat. We'll get you some
lemonade.

KATE
I came up to the house today to
take it back to Brooklyn.

She catches Stamos flashing Reis a look.

KATE (CONT'D)
I'm gonna take good care of it.
It's been on my wall since I was
twelve, I'm not gonna let something
happen.

REIS
Ah.

Levine and Stamos can't meet her eyes.

REIS (CONT'D)
Honey... your father left all his
work to the Foundation. Including
what was in your mother's house.

Kate's rage comes flooding back.

KATE
No. No, Dad gave it to me, it says
"to Kate" right on it!

Stamos glances at Levine, who shrugs: guess I missed that...

KATE (CONT'D)
You just sneak in and take it?
That's stealing!

STAMOS

Katie! Get ahold of yourself!

KATE

You can't go to Mom's funeral, this woman you knew for years, but you can steal from her house?

REIS

Kate. You will be civil! They belong to the Foundation.

KATE

He was *MY DAD!* Where are they? I went to his studio - the locks are changed, it's got some new name-

STAMOS

It's out of our hands, Katie.

KATE

What's that supposed to mean?

REIS

The Foundation can't survive without a partner.

Levine looks off. Reis sips his drink. It suddenly strikes her - like a freight train.

KATE

Are you *selling* them? You said it's a charity, a Foundation. You said when we were there at the show - to Mom and me, that -

REIS

Katie, your mother didn't object to any of this.

KATE

Did she even know?

(to Levine)

You think she wanted Topher to wind up with you?

LEVINE

We're doing the best we can.

KATE

You won't even let me see him without an appointment!

LEVINE
There's a baby in the house! The
boy needs structure.

KATE
"The boy?"

REIS
Kate -

KATE
How many have you sold? You know
he'd never have let you -

REIS
Kate! Enough! Life has given you a
hard pill to swallow. We all miss
your parents. And the way it used
to be. But we cannot go back. All
we can do is move forward. And try
to look at the world as adults,
yes? And right now you're behaving
like a little, spoiled, selfish
child. The law is the law. Tantrums
won't change that. Accusations and
hysterics won't change that. You
need to leave, Kate.

She looks from face to face.

KATE
He thought you were his friends.

As she heads back, she spots the Rothko hanging in Reis's
study. She strides towards it, reaches out -

BECKY REIS (O.S.)
Katie! What's got into you?

Using all her strength not to take the painting with her,
Kate pushes past Becky and storms out.

34 EXT. UPPER EAST SIDE SUBWAY ENTRANCE - DAY 34

Kate walks down the front steps, shaking with emotion. But
she fights down the urge to cry. Her face tightens with
decision.

35 INT. LEVINE APARTMENT, OUTER HALLWAY - DAY 35

Kate walks down the building's hallway. A handwritten sign is
pinned to the door: PLEASE KNOCK GENTLY - BABY SLEEPING.

She knocks very gently. Then, reconsidering - forcefully.
 Anne Levine fumbles the door open, agitated, whispering.

ANNE LEVINE
 Shh! Shh! The baby!

KATE
 Can I see Topher?

ANNE LEVINE
 It's not a good time. He's being disciplined.

KATE
 I need to see him.

Something is breaking free inside Kate. She can't just quietly comply any more.

ANNE LEVINE
 It's his attitude, again. He -

Kate pushes in past her.

36

INT. LEVINE APARTMENT - DAY (CONTINUOUS)

36

Anne Levine follows behind, hissing in a stage whisper. This is so out of character for Kate.

ANNE LEVINE
 Kate! Kate! What are you doing?

KATE
 Attitude? A seven-year-old with no parents?! TOPHER!

The baby begins to wail.

ANNE LEVINE
 Oh, nice going.

She storms off to the crib. Topher runs out from the back.

TOPHER
 Katie!?

Kate grabs her brother and hugs him.

KATE
 Listen. From now on, Rothkos are sticking together. Let's grab your stuff. Right now.

Topher beams as the baby in the other room cries.

37 INT. KATE'S BROOKLYN APARTMENT, STAIRWAY - DAY 37

Kate meets the withering gaze of her disapproving Landlady with a smile as she climbs her building's stairs with Topher.

LANDLADY
Rent was due Monday.

KATE
Thank you. I'll have it.

38 INT. KATE'S BROOKLYN APARTMENT - DAY 38

Kate's door swings open and Topher steps uncertainly into her tiny, sparse apartment. Kate grins, trying to make the place seem as cheery as possible.

KATE
Ta-da! Welcome to Chez Topher, sir.
Bean bag chair! Check it out!

But Topher just looks down at it skeptically.

KATE (CONT'D)
Are you hungry? We have, ah...
We'll go shopping.

He goes over to a stack of records, picks up a Dylan album.

TOPHER
Do you have Mozart?

KATE
We! We do! Of course we do, silly!
Isn't this place outta sight?

Her smile fades as Topher turns away, clearly disappointed in this dump.

ROTHKO (O.S.)
No no no. You're making it dreary!

She turns and sees her Dad sitting in an armchair, pointing. She follows his gesture - one corner of her tiny apartment has become their brownstone back in 1966, where Mell and Kate, 16, are decorating a Christmas tree.

ROTHKO (CONT'D)
Hanging there like testicles. It's
supposed to be merry! Here.

MELL

So says the Russian Jew!

Rothko takes one of the ornaments and snips the loop of ribbon on it, then ties it to the end of a branch, as if it were fruit. Kate bursts out laughing.

KATE

Dad, they're not made to do that!

ROTHKO

But look. *That's* merry!

Kate and Mell look at one another - it looks absolutely ridiculous. They roar with laughter as Rothko works away earnestly with the scissors, smoking.

TOPHER (O.S.)

I miss Mom.

The smile on Kate's face fades as she turns back to her little apartment in 1970: Topher is looking up at her, forlorn. She wraps him up in a hug.

KATE

I miss her too. But we're gonna be okay...

There's a knock at the door. Kate rises to answer it - then realizes, mortified, that she left Ilya all alone earlier.

KATE (CONT'D)

Oh!

ILYA

Hey - is... everything ok?

KATE

I'm so so sorry - I just totally -

ILYA

Well, did you find out where -

He suddenly notices the 7-year old boy in the room. Kate tenses, not sure how either will react to see the other.

KATE

This is Topher, my little brother.
Topher - this is Ilya.

ILYA

Hi Topher! I see you found my
favorite chair. Watch this.

Ilya jumps into the bean bag chair with a goofy grin.

ILYA (CONT'D)
Now you try it!

Topher tries it - it IS kind of fun. Grudgingly, he smiles.
Then tries it again.

ILYA (CONT'D)
Who here likes Chinese?

39

INT. KATE'S BROOKLYN APARTMENT - NIGHT

39

Topher sleeps in the bean-bag chair. Kate and Ilya drink tea.

KATE
He fought so hard for his work to
be shown the right way. To be kept
together. He'd only sell to someone
if he knew they'd keep and respect
it. To think of all of them just -
slipping away...

ILYA
Each one's a piece of him.

KATE
And mom. She poured out everything
for him.

She takes a sip of tea.

KATE (CONT'D)
You should've seen how smug they
all looked. These men. Like nothing
can stop them.

40

INT. MARLBOROUGH NEW YORK, 2ND FLOOR STUDIO - DAY

40

A projected 35mm slide: *Untitled, 1955* [535] - a deeply
saturated Rothko.

LLOYD (O.S.)
Mm. Yes.

Lloyd sits close to the screen, the image towering over him.
Somewhere far behind him the projector clicks to the next
slide: a more recent black-on-grey Rothko.

LLOYD (CONT'D)
No. Next.

Click. The next slide is *No. 20, Yellow Expanse, 1953* [484].

LLOYD (CONT'D)
Ah, Yes. Wonderful.

41 INT. GELLER'S OFFICE - DAY

41

Kate sits opposite Geller in his cluttered office, appalled: the attorney is literally laughing.

KATE
It's not a joke. What are you saying, just let them sell all our paintings?

Geller tries to break it gently.

GELLER
Let me tell you something, okay. Out there you got a multinational corporation with hundreds of millions in sales all over the globe. Experts. The best. The artist's closest friends. An accountant who's a New York Institution. Beloved - and helped me get *my* start, I might add. And then sitting in here, I got a skinny little girl who wants a painting. A broke, unemployed teenager who left home at 16.

KATE
To go to college!

GELLER
That's all they'll see, Kate. You don't know how ugly this business is. Listen, you want a painting? Marry a surgeon.

KATE
I'll find someone who can help.

Kate stands, defiant.

GELLER
What are you going to pay 'em with? Paintings? The same ones you don't want sold? Have a good evening.

Kate turns pauses in the doorway.

KATE

What about - you know, the - People
of the State of New York -

Geller almost spits out his coffee, this is so fantastical.

GELLER

You mean the Attorney General?

KATE

Probably? Where is that, downtown?

GELLER

Civil rights. Police corruption.
You don't think they got enough on
their plates, they got time to add
some paintings? Listen to me.
Someday, and I hope it's very soon,
you'll realize this: what's in your
purse is what matters. Not what's
on your wall.

KATE

I'm not a purse kinda girl.

- 42 INT. BROOKLYN COLLEGE TYPEWRITER ROOM - DAY 42
- The CLATTER of dozens of typewriters. We track across exhausted COLLEGE STUDENTS furiously typing papers, their books stacked alongside: Joseph Conrad, Kurt Vonnegut...
- We land on Kate, typing away. Next to her machine is an exhibition Catalogue - THE MARLBOROUGH PRESENTS: MARK ROTHKO. She pulls the last page from the carriage and quickly stands.
- 43 INT. ATTORNEY GENERAL OFFICES, HALLWAY - DAY 43
- Wearing her one good dress, Kate hesitates in the marble-floored hallway, intimidated. The clicking heels of wingtips echo everywhere: confident MEN in SUITS.
- She looks up with trepidation at the brass letters on the wall: OFFICE OF THE ATTORNEY GENERAL.
- 44 INT. OFFICE OF THE ATTORNEY GENERAL - DAY 44
- Her desk heaped with towers of paperwork, a grizzled SECRETARY doesn't look up from pounding on her typewriter, a wall of noise.

SECRETARY

You're with a high school tour?

KATE

Ah - no I was hoping to get a -

SECRETARY

Powder room's fourth door on the left.

KATE

No - ma'am, I'd like to make an appointment -

SECRETARY

Sorry, not hiring.

Summoning her resolve, Kate raises her voice to be heard above the din.

KATE

An appointment with the Attorney -

The Secretary suddenly stops typing. Kate's voice rings out through the office.

KATE (CONT'D)

- General!

The Secretary and the other OFFICE STAFF stare at Kate as if a talking zebra had suddenly wandered in. But Kate straightens, determined, holding out her typed pages.

KATE (CONT'D)

I want to report a, uh, injustice.
Well, a crime - against... art.

The secretary stops herself from saying what she'd like to.

SECRETARY

Have your attorney submit your forms to the appropriate office, if it's of merit an assistant AG will review and follow up. Thank you.

KATE

Appropriate? Assistant AG? What's -

But she's already typing again.

45

INT. ATTORNEY GENERAL OFFICES, HALLWAY - DAY

45

Kate walks down the hall, snooping. There's a series of small offices off the hallway - all of them different Assistants to the Attorney General.

She lingers by one door, but a bunch of SUITED MEN suddenly sweep past, glaring rudely, and enter the office.

She moves on to a second door. Steels herself, prepared to knock - but then she can hear a man's raised voice, another door down.

HARROW (O.S.)

Are you kidding me? All these rich assholes ever get is a slap on the wrist!

The sign by the door reads: ASSISTANT ATTORNEY GENERAL GUSTAVE HARROW. She peeks around the door frame. Harrow, 40, owlish glasses and a slightly rumpled suit, fumes to his SECRETARY.

HARROW (CONT'D)

Conviction but no penalty, that's not justice, that's whitewashing! Is that what we're here for, theater? Putting on a good show?

He grabs his briefcase and heads for the door. As he steps into the hall, Kate takes a deep breath, her voice wavering:

KATE

Mr. Harrow. On behalf of the, ah -

But he doesn't even know she's there. He whirls and calls back into the office.

HARROW

If they call back tell 'em I got stage fright - I forgot my lines. I'm grabbing lunch.

He spins and moves off down the hall. She quickly follows.

46

EXT. DINER - DAY

46

Kate practically jogs to keep pace behind Harrow as he nears a Diner, but he never stops long enough for her to get his attention.

KATE

Mr. Harrow?

Without looking back, he disappears inside.

Kate catches her breath, deliberating. Is she really going to interrupt his lunch? But what other option does she have?

47

INT. DINER - DAY

47

The door jingles as Kate enters. With a deep breath, she approaches Harrow's booth by the window.

Without looking up from his *New York Post*, he sets his empty coffee cup by the edge of the table to be filled.

KATE

Mr. Harrow?

He looks up in surprise. Kate's hands shake as she holds out her stack of papers.

KATE (CONT'D)

On behalf of the people of New York
- I - I would like to formally -

Half of the papers slip out of her hand onto the seat opposite Harrow. She sits, gathering the papers, her mouth on autopilot.

KATE (CONT'D)

- Ah, report - an injustice that -
I believe you - ah...

She trails off under his look. Despite the invasion, there's something charming in this strange girl's combination of nerves and brazenness.

HARROW

What's your name?

KATE

Kate Rothko.

He folds up his newspaper and moves it aside. She shoves her document towards him.

HARROW

Alright Miss Rothko. No no, hold
onto that.

KATE

I'm sorry. Nervous.

HARROW

Well you seem to've found out I'm with the AG. This is what my morning's been like: thirty million in stock fraud with convictions handed down and not a single investor's getting a cent back. There's "injustices" everywhere you look. And even if you win a battle, most of the time you lose the war. So tell me, what's at stake for the people of New York in that? Not you personally - everybody in here. Everybody out there - that's so important that even if you *know* you're gonna lose the war, you'd still fight it anyway.

She looks down. Mistaking her thoughtfulness for discouragement, he straightens and reaches for the *Post*.

But when her eyes come up, they have tears in them.

KATE

Transcendence.

It's a hell of an answer.

He drops the paper and takes her document instead. He reads as the WAITRESS drops off a plate of fries and fills his coffee cup. Kate smiles politely up at her: nothing for me, thanks. Harrow's eyes flicker up from the page.

HARROW

How old are you?

KATE

Twenty. In a month.

What the hell's he got himself into?

HARROW

The Mark Rothko Foundation. You're his daughter?

Kate nods.

HARROW (CONT'D)

So - your father left art to a Foundation, from which you're excluded. And - you want the art?

KATE

No, no. I mean, there is one my Dad gave me personally. And they took some from our house. But what I want is the Foundation to stop selling. The whole reason my Dad wanted a Foundation was to protect the paintings. To keep them together so they could be loaned out to museums - you know, MoMA, the Met, the Guggenheim. So everyone could see them. In groups.

HARROW

His work's in places like that?

KATE

He's maybe the most acclaimed abstract expressionist in the world.

HARROW

Hmm.

KATE

Pollock, Kline, Still...?

HARROW

I'm more of a Whistler's Mother kinda guy. So how many are there?

KATE

I don't even know. They're the only ones with a list. Hundreds? The gallery - Marlborough - they just had a big show of Rothkos. Some I'd never seen. And they took over Dad's studio, now it's called the Marlborough Studio. All of his work is gonna disappear, and that's not what he wanted.

Harrow's smile is cynical.

HARROW

Sounds like there's quite a market for his work. Not that you're looking for any money.

But Kate's face is dead serious, passionately earnest.

HARROW (CONT'D)

Look there's a mountain of precedence. Cases just like this.

(MORE)

HARROW (CONT'D)

"They got it, and we didn't,"
right? And in this one they're a
hell of a lot bigger than you.
Millions of dollars bigger. All
these cases - maybe it's a house,
it's furniture, it's cash - they
all go the same way. They hold all
the cards. So how're paintings any
different?

Kate's eyes light with an idea. She sits forward.

KATE

Lemme show you. And you can see for
yourself.

A grin grows at the corner of his mouth.

HARROW

You know you're very confident, for
a nervous person.

KATE

You'll probably get to see a
Whistler.

48

INT. METROPOLITAN MUSEUM OF ART, HALLWAYS - DAY

48

Harrow gapes in awe at the passing wonders as Kate leads him
through the halls of the Met towards the stairway.

KATE

How often do you come here?

HARROW

Eighth grade field trip?

KATE

It's the heart and soul of New
York!

HARROW

You ever heard of Shea Stadium?

KATE

The Mets, right? Aren't they named
after the museum?

She looks back at Harrow with a grin.

KATE (CONT'D)

New York's the center of the art
world.

(MORE)

KATE (CONT'D)

And this place is the center of that. You really think a baseball team's more important to New York than the museums?

HARROW

Baseball's for everyone.

KATE

It's just another business though. There to make money. Museums are there to make ideas. And they're free.

HARROW

Maybe. But the Mets've got a lot more seats.

49

INT. METROPOLITAN MUSEUM OF ART, 2ND FLOOR - DAY

49

Harrow and Kate pass a massive Pollock.

KATE

The Met just started showing contemporary art. This show's only the really major artists.

They enter the Rothko room: TEN large Rothkos.

KATE (CONT'D)

These are all Rothkos.

HARROW

The whole room.

KATE

He was very proud of that. And this is how he wanted them seen: together, out in the world for everyone. That's why he gave everything to the Foundation. But instead they're just selling them off.

Harrow sizes up the MUSEUM VISITORS: TOURISTS; HIPPIES; SENIOR CITIZENS; a few OFFICE WORKERS on their lunch hour.

Harrow sees a WOMAN about his age seated on a bench, looking at one of the paintings in a focused, meditative state.

A PASSER-BY scoffs to his FRIEND.

PASSER-BY 1
My three-year-old paints better
than this.

PASSER-BY 2
Look, it's a whole room of fridges.

Harrow approaches one of Rothko's sectional paintings:
hovering, roughly rectangular fields of color.

HARROW
Tell me what I'm looking at.

KATE
Well... layers of paint on canvas.
Color, light, rhythm. They don't
depict anything. Dad would say -
it's not a picture OF an
experience. The picture *IS* the
experience. It can be profound, but
in a simple way. Fundamental. The
way music can make you feel, even
though it's just sound, you know?
But go closer, til it's all you can
see.

Harrow walks closer, looking, and Kate backs away.

ROTHKO (O.S.)
Don't turn around. Not yet. Look
up.

Kate looks up -

50 INT. ROTHKO STUDIO - EAST 69TH STREET, BACK ROOM - DAY 50

And where the flat ceiling of the Met gallery should be, we
see a large swath of white SILK, suspended on ropes below the
skylights of Rothko's 69th Street studio, in 1967.

Kate, 16, stands in the center of the studio, awed.

KATE
This for the chapel?

ROTHKO
It'll have a skylight too - so I
want to make sure to paint for the
exact light. Hold out your hand,
look at the shadows. See how it
wraps?

KATE

Dad -

ROTHKO

Okay, okay.

She turns: a massive canvas looms on the wall, a murky, black-purple at this distance. Rothko lights a cigarette.

She glances back at him in surprise, a bit alarmed at how dark the painting is. But Rothko has a faint smile.

ROTHKO (CONT'D)

Well?

KATE

It's... dark. So different.

ROTHKO

Walk closer. Look at the surface as you move.

KATE

Ohh. Layers. But you have to find them. You could get lost in it.

ROTHKO

What do you think?

KATE

It's scary.

ROTHKO

It absorbs. It hardly answers back at all. You gaze into the abyss - and it gazes back. Close your eyes. Keep them closed.

He puts his hands over Kate's eyes, too.

ROTHKO (CONT'D)

There's no light. But it's not total darkness either. You can see something. You can see yourself seeing. And that's not scary, is it?

He turns her around.

ROTHKO (CONT'D)

Alright. Open them -

51 INT. METROPOLITAN MUSEUM OF ART, 2ND FLOOR - DAY

51

Kate opens her eyes: and she's back in 1970.

She turns. Harrow still stands in the same spot, staring at the same painting. Kate approaches, her nerves returning.

As she steps alongside, he turns, shaking his head.

HARROW

I dunno.

Kate nods, trying to swallow down her disappointment.

HARROW (CONT'D)

They're not like a house or
furniture though. They're for
anyone who comes in this room.

He retrieves his briefcase, glancing around curiously at the other Rothkos.

HARROW (CONT'D)

I'm gonna look into it.

Kate beams.

KATE

Thank you.

HARROW

I'm *not* saying the AG's gonna take
this on. It's just - curiosity.
I'll be in touch.

But she can't help but grin. He turns and calls back to her:

HARROW (CONT'D)

Oh and Miss Rothko - my office next
time, alright? Never at the diner.
That place is sacred.

52 INT. REIS TOWNHOUSE, MAIN FLOOR - DAY

52

Becky Reis pulls open the door with a wide, charming smile.

BECKY REIS

Mr. Harrow. Do come in.

Harrow follows her through the elegantly appointed home, glancing at the art-lined walls.

BECKY REIS (CONT'D)

Let me show you to the study.
Bernard says we have some friends
in common?

This is news to Harrow, but he smiles politely. Reis emerges from his study.

HARROW

Mr. Reis? Gus Harrow.

They shake and Reis leads Harrow into his study as if he was an old friend.

REIS

Please, come in. We have some
lemonade here, or coffee if you'd
like...

Harrow pauses at the Rothko.

HARROW

This - it's a Rothko, right?

REIS

You like his work?

HARROW

I... I'm not sure I understand it.

REIS

He was a brilliant man. A dear
friend. I miss him every day. I
have to say it was a bit of a
shock, your call. I didn't know the
Attorney General's office had an
interest in abstract expressionism.

HARROW

Oh, no, it's nothing like that.
Thank you for taking the time to
meet. Call it curiosity, if you
will. Of course I do have to say
that you don't have to answer
anything you're not comfortable
answering.

REIS

Said like a true lawyer. Ha.

They sit. As Reis pours lemonade he watches with satisfaction as Harrow looks at his photo with JFK. Harrow sets it down and pulls out a small notepad.

REIS (CONT'D)

You know, after your call I made some of my own. Quite a few old friends at the AG, but they assured me you're a square shooter. You've got Barry Sennheiser's old office. Dear, dear friend.

HARROW

Small world.

REIS

Well, however I can help. Shoot, as they say.

HARROW

Mr. Rothko. He was a long-time client of yours?

REIS

And a close friend. But yes. For twenty two years. Since '48. He was the quintessential starving artist back then. It wasn't until '50 that things began to really take off.

HARROW

And you drafted his will.

REIS

Yes.

HARROW

And also organized the Rothko Foundation.

REIS

I did. Yes.

HARROW

But you're not an attorney.

REIS

No, a CPA. I do hold a J.D. but I don't practice.

HARROW

Who was his attorney?

Reis glances at Harrow's pen, poised to take down a name.

REIS

Rothko hated three things:
elevators, airplanes, and lawyers.
(MORE)

REIS (CONT'D)

Artists are a rare breed. Petulant. As his friend, I filled in as his business sense. An advisor, a confidant. Sometimes, kind of a father. Towards the end of his life, I saw him every day. His studio's a block away.

HARROW

Now the Marlborough Studio.

REIS

Yes.

HARROW

Marlborough's the exclusive dealer representing the estate? How were they chosen? Was there a bidding process?

REIS

It was an easy decision. They're the best in the world.

HARROW

But Rothko wasn't repped by any gallery. For years, up until his death, correct?

Reis smiles again, relaxing, as he finally understands why Harrow is here.

REIS

I think I can see where this is going. Yes, the Foundation has made arrangements with a dealer. But I think you've been misled. Possibly by Kate Rothko, Mark's daughter?

Harrow keeps a poker face, but Reis can tell.

REIS (CONT'D)

They had a... turbulent relationship. She moved out at sixteen. And she's had trouble, as a teenager would, coping with the sudden death of both parents. As much as Kate wishes the Foundation was some kind of private storehouse of her father's work - he gave us a clear mandate: to give financial grants to people in the art world. And to do that, we need cash on hand.

(MORE)

REIS (CONT'D)

And that's what's so hard for her to face - selling the paintings is simply the *only* way we can carry out her father's wishes.

Harrow sits back - convinced.

HARROW

Ah. I understand.

REIS

I'm glad I could help. I suspect - a starving college student would rather see someone else get that money than artists in need.

Harrow nods, as he pours himself a cup of coffee.

HARROW

Well. You have such a beautiful home. All of this, it's incredible.

REIS

Do you collect?

HARROW

Art? I wish.

REIS

You should come down to the gallery, I can show you around.

Harrow glances up at Reis - who realizes he's made a critical misstep.

REIS (CONT'D)

I just mean I'm down there a lot, dealing with the Rothkos.

Harrow sets down his coffee cup and picks up his pen, toying with it.

HARROW

You don't - work for them.

REIS

My firm used to handle their accounts. For many years.

Reis watches Harrow's pen.

HARROW

But nothing currently?

Reis suddenly laughs, nonchalant.

REIS

Well yes, currently. I'm Director of Marlborough New York. But I assure you, this is a non-story.

HARROW

For how long? When did you start?

Reis blinks, straightening. He's not going to answer any more. Harrow can see he has him.

HARROW (CONT'D)

How many Rothkos does the Foundation have left?

REIS

(talking over him)

I think I've answered everything you need to know.

53 INT. ROTHKO STUDIO - EAST 69TH STREET, FRONT ROOM - DAY 53

Lloyd, flanked by an ASSISTANT, shows Bunny Mellon (and HER OWN ASSISTANT) into what once was Rothko's studio.

LLOYD

My dear Mrs. Mellon. You look lovely.

BUNNY MELLON

Bunny, please! Call me Bunny! So this is where he painted? It's very, ah -

She eyes Rothko's coffee jars of paints, the red pigment splattered on the worktable's kraft paper.

LLOYD

We haven't changed a thing. Just as he left it. The perfect showcase. His studio space is just through here -

He guides her out into the expansive studio space. Mounted in the center of the room is the massive *Yellow Expanse* - the painting we saw projected in slide form earlier, nearly ten feet tall and fifteen wide. She gasps.

BUNNY MELLON

Oh Frank. Frank - it's -

LLOYD
Breathtaking. A masterpiece.

BUNNY MELLON
You're right. I have to have it.
But - Frank. Have you been bad?

LLOYD
Probably, ha ha. What do you mean?

BUNNY MELLON
There's an article in the *Times*.

LLOYD
That tabloid? There's a lot of envy
in our world, you know.

He gestures to his Assistant, who darts off - to buy a paper.

LLOYD (CONT'D)
Now there's another painting here I
think you need to see as well -

54 INT. TENNIS CLUB LOUNGE - MORNING 54

Reis sips a Bloody Mary, wearing tennis whites. Becky, at his side nudges him.

BECKY REIS
Bernie.

The wealthy couples at the other tables are whispering and pointing at the Reis's table - as they read the *Times*.

Concerned, Reis reaches for the folded paper on their table.

55 INT. MARLBOROUGH NEW YORK, MAIN GALLERY - DAY 55

Stamos poses pretentiously for a photographer in front of giant letters that read "STAMOS on STAMOS."

A reporter comes up to him with a newspaper - the flash goes off just as Stamos's face distorts with anger.

56 INT. LEVINE APARTMENT, BATHROOM - MORNING 56

Levine sits on the toilet, smoking and reading the *New York Times*. Suddenly his eyes go wide.

LEVINE
Oh *shit*!

His wife calls from the other room.

ANNE LEVINE (O.S.)
Honey? What is it?

She knocks on the bathroom door. He quickly tears that part of the paper out and crumples it up, shoves it into the toilet and flushes...

LEVINE
Shit shit shit...

57

INT. KATE'S BROOKLYN APARTMENT - EVENING

57

Schubert's Trout Quintet plays on the record player. Close on boiling water: Kate dumps dry spaghetti into it.

Kate takes a stray piece of spaghetti from the counter and gives one to Topher to conduct with. She breaks another, and puts it in her mouth as a pretend cigarette.

KATE
Good evening, sir.

TOPHER
Madam.

She returns to the battered book she's reading as she cooks: ESTATE LAW. Ilya enters behind her.

ILYA
Dobroye utro, prekrasnaya!

KATE
What's that mean?

ILYA
It means, you should read the papers, Ms. Lawyer.

He slaps a newspaper down on top of her book, folded back to reveal the headline: "*Conspiracy Charged on Rothko Estate.*"

Kate shrieks with joy and leaps up, grabs Ilya. Topher watches in total confusion.

58

INT. DINER - DAY

58

Harrow looks up in disbelief from his copy of the *Post*.

HARROW

I have an office, you know. It's nice, there's a desk, a door -

Kate slaps her copy of the *Times* down, breathless, excited.

KATE

I knew it! I knew you'd find something! When's the trial?

She slides into the seat opposite.

HARROW

Miss Rothko -

KATE

Kate, come on. I've been reading up. If you subpoena Marlborough, we can get their records. So that if some were sold, we can track them -

HARROW

Kate.

KATE

- And an injunction. Because they said they were sending some to Europe, and if -

HARROW

Kate. Go home and check your mailbox.

She sits back, confused, her enthusiasm deflating.

HARROW (CONT'D)

I know you're itching for a fight. The reality is, this kinda thing never gets that far. They're gonna want to settle.

59

INT. REIS TOWNHOUSE, MAIN FLOOR - DAY

59

Maribel leads Kate through the house.

Reis and Stamos stand tensely in the study, waiting. Levine, limply draped in a chair, regards Kate with victimized self-pity. She notices the Rothko is no longer on the wall.

REIS

Kate. Thank you for coming.

Reis motions Kate to sit.

She glances uncomfortably at a fourth man in the room: ARTHUR RICHENTHAL, 40s, the Foundation's attorney. There's something menacing in the intent way he's watching her.

REIS (CONT'D)

First - I think you know that your father would have been heartbroken to see any kind of discord among us. The people closest to his heart. Our goal has always been - and will always be - to honor your father's intentions. And it's my fervent hope you'll come to see that. We stand by every decision and action the Foundation has made. But we don't want to see you unhappy. And this friction doesn't do anyone good. So - even though it could be seen as wildly imprudent, we want to make a gesture that will prove our goodwill. Unequivocally. And put this all behind us.

Richenthal passes Kate a several-page document. Levine looks hopeful. Stamos seethes with resentment.

RICHENTHAL

The Foundation would like to offer you and your brother the shared sum of one million dollars.

Kate glances up despite herself - it's a staggering amount of money.

RICHENTHAL (CONT'D)

And - your choice of ten paintings.

Kate glares at Reis.

KATE

You took like *forty* from our house!
And there must be at least -

REIS

Kate! Kate. Don't answer now. A mature decision requires mature thought. Your whole life hangs on this. Your father wanted you to have a promising career. A bright future. Do you want to drop out of school, take on ruinous debt, put a stain on his legacy by trying to tear down what he set up? Or do -

STAMOS

Where do you want the name Mark Rothko, Katie. Up next to Matisse and Mozart? Or where you put it - the gossip column?

Kate straightens, shocked and hurt.

KATE

Me? I didn't -

STAMOS

He wouldn't stand for the way you're acting. Like a selfish brat! Like some burnout hippie -

LEVINE

Stamos!

REIS

Please!

Reis glares at Stamos, then turns, his voice soothing.

REIS (CONT'D)

You've had an incredibly hard year, Kate. An unbearably painful one. No one can fault your sensitivity. But your allegations have done real damage. To reputations that took a lifetime of hard work to build. What we'd like to see, as a condition of the settlement - is a public statement of support for the Foundation. Specifically mentioning our names. In a few weeks your father's Chapel Murals will finally be dedicated down in Houston. We think that's the perfect time and place for you to clear the air. Just a few words, we can go over it together. And then - the sky's the limit. A million dollars, and ten paintings. With that kind of a head start you and Topher can be wealthy for the rest of your lives. And have the kind of life your father wanted for you.

60

INT. LAUNDROMAT - DAY

60

Quarters on chipped formica: Kate counts out how many loads she has left, under droning fluorescent lights. She watches a suds-filled washer going around and around.

For a moment she spots Rothko in the reflection -

But when she turns, he's gone. Topher, playing with matchbox cars on the counter, watches the look on her face.

TOPHER

What?

KATE

Oh - nothing.

TOPHER

Sometimes I think I see Mom. Or Dad. But - it's not them.

If Kate doesn't do something she's going to burst into tears. She tosses a warm towel over his head, then quickly wraps another one around herself like a shawl, curtsies formally.

KATE

Oh, sir! I'm frightfully sorry.

TOPHER

Madam!

61

INT. KATE'S BROOKLYN APARTMENT, STAIRWAY - DAY

61

Kate climbs the stairs with their folded laundry, listening to an extended monologue from Topher, who trails behind.

TOPHER

...Hoss is the big one. He's funny.
Little Joe's my favorite.

On the landing Kate passes her Landlady, her glare even more disapproving than usual. Kate nods.

TOPHER (CONT'D)

He's not a little kid though. He's
a grownup. His horse is black...

She gets to the landing ahead of Topher and sees them first: a bored COP and a woman in her 30s - a SOCIAL WORKER.

SOCIAL WORKER

Kate Rothko?

KATE

Yes.

SOCIAL WORKER

Is this Christopher Rothko?

Topher moves behind Kate, frightened.

KATE
It's okay, Topher.

The Social Worker, who's done this a million times before, starts in.

SOCIAL WORKER
Ma'am, the State of New York -

KATE
I'm his sister.

SOCIAL WORKER
I know but you're still a minor. By law he needs to be with a -

KATE
But he can't go back -

SOCIAL WORKER
Well he's not gonna be staying here. Not til you're twenty-one. Will you let us in, ma'am?

Gutted, Kate's eyes well with tears, but she tries to keep it from Topher. She lowers her voice to a whisper.

KATE
Please. We need each other.

COP
Can we hurry this up?

SOCIAL WORKER
Listen. You got any family in the city?

KATE
Aunt Barbara in Ohio.

SOCIAL WORKER
Get on that long distance and call Aunt Barbara in Ohio. But we gotta come in.

She leans down and tries to make eye contact with Topher.

SOCIAL WORKER (CONT'D)
Topher! I like that!

Kate's apartment feels empty, silent with Topher gone.

She gathers together a little pile of the things he left: a matchbox car, a lone sock. Her eyes are raw and red.

She finds an empty album sleeve on the floor. But as she reaches to take the record off the stereo - she hears music.

Mozart, distant. She turns -

63 INT. ROTHKO BROWNSTONE, HALLWAY - NIGHT

63

And she's in the hallway of the Rothko brownstone back in 1967, 16 years old, in a nightdress. She walks to the landing, listening to the music coming up from below.

64 INT. ROTHKO BROWNSTONE, PARLOR - NIGHT (CONTINUOUS)

64

Kate moves down the stairs. All is dark, but the stereo's on.

Wreathed by smoke, Rothko sits in a reverie, his back to Kate. A bottle of scotch next to his ashtray.

Kate smiles - but then realizes Rothko is crying.

She doesn't want to intrude. Quietly she turns to go upstairs, but the floor creaks -

ROTHKO

Katie.

He waves her over - he doesn't want to speak over the music.

She goes and sits with him, in the darkness, listening, pulls her knees up to her chin. He wipes his eyes, lets out a sigh, as the music ends. They sit in moved silence.

ROTHKO (CONT'D)

Mozart's smiling through tears,
don't you think? Is there anything
more moving, more human, than joy
even in grief. And grief in joy.

Kate considers this.

KATE

Dad? How come when you work, you're
always by yourself? You don't even
let your assistants see.

He searches for the right words.

ROTHKO
I can't find what I'm looking for
if I'm not.

Mell calls from the foot of the stairs, irritated.

MELL
Katie, it's the middle of the
night.

KATE
Coming.

She stands and turns -

65 INT. KATE'S BROOKLYN APARTMENT - NIGHT 65
And she's back in her shabby little apartment in 1971. Alone.

66 INT. HARROW'S OFFICE - DAY 66
Harrow, on the phone, looks up as Kate approaches.

HARROW
Can I call you back? Thanks.

Kate looks ragged, her eyes raw and red. She hands Harrow the
Foundation papers.

KATE
I'm gonna take the deal.

HARROW
There's nothing wrong with that.
Trials tear people apart.

Kate sits, her eyes welling with tears, ashamed. Harrow scans
the document.

KATE
I wanted to thank you for - trying.
I know what you meant, now. About
losing the war. I haven't paid the
rent in weeks. Or the phone bill.
I've been living on saltines. I
can't do this. I thought I could,
but I can't.

HARROW
Well, you'll be able to buy a lot
of saltines.

KATE
I don't want the fucking money!
- I'm sorry.

HARROW
Only ten paintings.

KATE
Only ten. But I don't have a
choice.

Harrow hands her the document back.

HARROW
You always have a choice.

But she's not so sure.

67

EXT. KATE'S BROOKLYN APARTMENT - DAY

67

Topher sits in the front passenger seat of AUNT BARBARA'S
CAR. Kate leans in through the open window.

KATE
I'll send you a postcard. And I
want you to send me one from
Columbus, okay?

TOPHER
Okay.

AUNT BARBARA, 50s, leans from the driver's seat.

AUNT BARBARA
Listen, you're gonna miss your
flight. We'll be fine. Call us when
you get to Houston.

KATE
Sir. I love you.

Topher wraps her in a hug. Kate stands, fighting back tears,
and watches the car drive off - then turns to where Ilya
leans against his Taxi.

ILYA
You okay?

KATE
Yeah.

ILYA
Well, let's get you to JFK.

68 INT. AIRCRAFT (TWA) - NIGHT

68

Sitting in a window seat, Kate looks over her typewritten speech, practicing under her breath.

KATE
I would like to now make a... I
would like to now make a heartfelt
apology... A heartfelt apology.

Weary and resigned, Kate looks out at the night sky.

69 INT. MOVING TRAIN - NIGHT

69

We pull back from the glass to see Kate, 16, stewing and staring out into the blackness beyond the train window: 1967.

She glances for a moment at her Dad, sitting opposite in the compartment. Neither can think of what to say. She looks back out the window.

ROTHKO
What do you see out there?

KATE
Nothing.

ROTHKO
It's beautiful.

KATE
There's nothing there!

She turns away in annoyance and digs in her backpack for something to do.

ROTHKO
The more you look, the more you
see.

Off the dark blur through the glass -

70 INT. ROTHKO CHAPEL - DAY

70

- To one of the Chapel Murals, deep color verging on black. We pull back to reveal the massive scope of the murals within the octagonal space. The only light in the room is the daylight from a cupola in the center of the ceiling.

Kate sits alone on a bench, taking it all in. A CHAPEL STAFFER discreetly steps forward.

CHAPEL STAFFER
Miss? It's starting.

Kate nods and stands and the Staffer moves off. But she doesn't want to leave.

She walks towards the central mural until she's close enough to lay her hand along the edge of the canvas, as if touching her father herself.

The dark, silent mural towers above her.

71

EXT. ROTHKO CHAPEL - DAY

71

In the crowd of religious dignitaries and other GUESTS of honor gathered for the dedication, Reis and Stamos look around expectantly for Kate. Dominique de Menil, early 60s, is coming to the end of her speech.

DOMINIQUE DE MENIL
...They are intimate and timeless.
They embrace us without enclosing
us. We can gaze right through their
dark surfaces, these purplish
browns, gaze into the infinite. For
here there is no narrative. There
is only the sublime.

Kate nervously approaches, clutching her notes.

DOMINIQUE DE MENIL (CONT'D)
Nobody is visually naive any
longer. In a world cluttered with
images, only abstract art can bring
us to the threshold of the divine.
Our friend Mark Rothko left us too
soon, but his work is more
essential to modern life than it
has ever been. Thank you.

Polite applause.

DOMINIQUE DE MENIL (CONT'D)
Among the many people who have
traveled a great distance to be
with us today is Mark Rothko's
daughter, Kate.

Kate takes the podium. Her voice is shaky as she reads from her notes, petrified to be in front of so many people.

KATE

One year ago. Ah. One year ago, today, was my father's funeral. It goes without saying that I wish he could be here to see the Chapel with us. But I'm so grateful that it has a permanent home where it can be seen exactly as he intended. He considered this project to be his masterpiece. I never saw him more engaged or more proud than when he was at work on it.

She spots Reis and Stamos in the crowd.

KATE (CONT'D)

I'd like, um, to share part of a New Year's note my Dad wrote to the de Menils. He wrote: "The magnitude, on every level of experience and meaning, of the task in which you have involved me, exceeds all my preconceptions. And it is teaching me - "

The words catch in Kate's throat. She stares down at the page for a beat, as if reading them for the first time.

KATE (CONT'D)

"And it is teaching me to extend myself beyond what I thought was possible. For this, I thank you. Mark Rothko."

Kate's eyes brim with tears.

KATE (CONT'D)

I'd like... I'd like to make a heartfelt apology.

Reis licks his lips in hungry anticipation. Kate's voice grows soft, unsteady.

KATE (CONT'D)

I came very close. I almost gave up.

She takes a breath.

KATE (CONT'D)

But my father's work deserves to be seen.

Reis and Stamos exchange anxious glances.

KATE (CONT'D)
 The Mark Rothko Foundation... is
 betraying my father. Dishonoring
 him.

GASPS through the crowd.

KATE (CONT'D)
 I choose... to honor him. His
 paintings belong like they are here
 in the Chapel, where everyone can
 see them, together. ...Thank you.

Applause. Furious, Reis slips away through the crowd.

72

INT. AG WORKROOM - DAY

72

A seemingly endless stack of cardboard document boxes.

HARROW
 ...IRS. Probate. Appraisals.
 Depositions.

Kate looks at Harrow, awed by the immense volume of material.

HARROW (CONT'D)
 What *is* here - is hidden like a
 needle in a haystack. And that's
 the easy part. The hard part is
 figuring out what's *not* here.

From one of the boxes he pulls a massive, overstuffed BINDER.

HARROW (CONT'D)
 The Marlborough stockbook.

Kate's eyes light. She glances at Harrow for his okay, then
 lunges for it, begins flipping through it.

KATE
 There's no pictures.

Harrow gestures to a vacant desk.

HARROW
 Here. You like coffee?

KATE
 Tea.

Her eager smile fades as she realizes the immensity of the
 task, looking from the ledger to the other boxes.

KATE (CONT'D)
I don't think any of my homework's
getting done anytime soon.

HARROW
Probably not.

73 MONTAGE - INT. AG WORKROOM / INT. ROTHKO STUDIO - DAY 73

Moments of Kate, hard at work on the files, intercut with Rothko in his studio in 1968, hard at work on a new series:

- Kate, uncertain, surrounded by documents on all sides...
- Rothko adds dry pigment to a pot of paint, at a table covered in jars of powdered pigments and solvents...
- Kate with a pencil, copying stockbook numbers into a NOTEBOOK. *Painting 5221.55, red, black, white on yellow...*
- Rothko paints quickly with a wide brush, helped by an ASSISTANT - a thin base wash of deep color. Sweat stands out on his brow...
- Kate, picking up speed now, cross-referencing and moving from list to list, her notebook full of entries...
- Close as Rothko works dry pigment into a painting's surface with his bare hands, his fingers flashing across the canvas. Plastered with sweat, cigarette dangling. He's pushing himself, pushing himself - too far...

74 INT. AG WORKROOM - NIGHT 74

Days later: a small pile of discarded paper cups and teabags sit amidst pages of notes. Kate, utterly drained, swivels in her chair and hands Harrow her notebook.

He flips through the pages - full of numbers and dates.

KATE
A few weeks after my Dad died, they
handed over every one of his
paintings to Marlborough. 798 of
them. And then, after my Mom died,
they took the last ones right out
of our house. The Foundation
doesn't have any of them. Not a
single painting. Marlborough has
them all.

Harrow listens, grim. She points to the notebook.

KATE (CONT'D)

And they've been selling them. To all over the world. But it's all in code. There's numbers Levine gave to each painting. And then Marlborough has their own system.

HARROW

They're covering their tracks.

KATE

It's impossible to know which ones are where cause there's nothing here to match those two up. Not even photos - the only photo in there was this. Here.

She hands him a black & white photo: a tall, narrow canvas.

KATE (CONT'D)

Homage to Matisse. It was in our house, growing up. It would soak you in color. Sold to some corporation. Without me or Mom knowing a thing.

She takes the photo back.

KATE (CONT'D)

Even - even if we win this - can we get any of them back?

HARROW

If they've been sold? No.

Kate closes her eyes, crushed.

HARROW (CONT'D)

But that still leaves hundreds. That we can get back.

KATE

I looked through this over and over for the painting Dad gave me. Anything I could match to it - there's nothing. It could be in Hong Kong, or Peru.

Kate breaks off, fighting back tears.

KATE (CONT'D)

I sat there, looking at it. The day of my Dad's funeral.

(MORE)

KATE (CONT'D)

I thought I was so grown up and I let it all happen right under my nose. And when my Dad needed me the most...

HARROW

None of this is your fault, Kate.

KATE

You don't know! The last time I saw him - I - I was so -

Harrow comes closer, puts a hand on her shoulder.

HARROW

We can't go back. Only ahead. Those people who say they don't have regrets, that's bullshit. Or they haven't really lived. You can't hide from it. But you look it in the face and own it and just keep on going.

Kate nods, pulling herself together.

HARROW (CONT'D)

I'll do everything I can to get them back. Go home and get some rest.

Kate wearily rises, packs her notes into her school backpack.

HARROW (CONT'D)

Do you have someone to come to court with you?

Kate hesitates.

KATE

I'll be fine.

Kate jolts along in an empty, graffiti-covered subway car: exhausted and utterly alone.

She flips through her notebook of numbers and dates. From between the pages she takes the photo of *Homage to Matisse*.

76

INT. NY SURROGATE'S COURT, COURTROOM - DAY

76

Kate sits in the surprisingly full gallery, awed by the imposing grandeur of the Beaux-Arts courtroom, as the COURT REPORTER and a BAILIFF murmur in low voices.

She notices a woman with a steno pad, watching her: a REPORTER.

Harrow enters and spots Kate. He gives her a confident nod, then sits alone at one end of the long, massive table that faces the judge's bench.

The doors open again, to divulge an endless army of stern grey men in stern grey suits, Stamos and Levine among them. Kate's face falls.

Richenthal confidently leads the defense team of NINE LAWYERS (all men in their 30s and 40s). They fill the rest of the table next to Harrow, while TWO others wait for the BAILIFF to bring more chairs.

They're clearly outgunned. Harrow glances back at Kate soberly, his jaw tight - here we go.

77

INT. NY SURROGATE'S COURT, COURTROOM - DAY

77

LEVINE

Oh, ah. I'm not sure.

Levine, sweating, sits on the witness stand. JUDGE MIDONICK (50s) and the long row of defense attorneys listen closely.

HARROW

But originally, you said Rothko didn't want his Foundation to give out handouts.

LEVINE

Well. I, ah, changed my opinion. Now I think it's likely. Probable.

Stamos watches, concerned with Levine's wishy-washiness.

HARROW

You yourself received payment from the Foundation, correct?

LEVINE

Yes but I - I'm paying that back. It was - I'm paying it back.

HARROW
Do you think Rothko would've wanted
you to keep his work together
instead of selling it?

Kate leans forward: please, please do the right thing...

LEVINE
I - you know, how are we to know,
really -

HARROW
You don't have an opinion?

RICENTHAL
Objection! Argumentative.

JUDGE MIDONICK
Sustained.

Levine takes a deep drink of water.

78

INT. NY SURROGATE'S COURT, COURTROOM - DAY

78

A document slaps down in front of Levine.

RICENTHAL
Exhibit 22, your honor. Mr. Levine,
what is this?

LEVINE
The Foundation's charter.

RICENTHAL
Can you read the portion where Mr.
Rothko gives instructions for how
to protect and place his art?

LEVINE
It, ah, doesn't mention that.

RICENTHAL
Can you read where it instructs as
to the sale of his art?

LEVINE
It doesn't say anything about it.

RICENTHAL
In fact, does it mention his
paintings at all?

LEVINE

No.

Stamos sits back, relieved and satisfied.

79

INT. NY SURROGATE'S COURT, COURTROOM - DAY

79

HARROW

Before Rothko's death, were you aware his paintings had started to sell for more than a hundred thousand dollars? One for \$130,000?

LEVINE

Yes.

HARROW

But the paintings Marlborough chose to buy from the Foundation were each valued at \$18,000, correct? Less than 14 percent of that value.

LEVINE

Ah, yes.

HARROW

So did you think that price was good for the Foundation?

LEVINE

Well, as I understand it, that is, it's bulk, so it's lower.

HARROW

You don't think that's wildly low?

DEFENSE ATTORNEY 1

Objection! Argumentative.

JUDGE MIDONICK

Sustained.

HARROW

What's your profession, Mr. Levine?

LEVINE

I teach anthropology.

HARROW

Have you ever bought or sold art, before this?

LEVINE
No no - I just - Reis and Stamos
are in art. And I trust them.

Harrow senses an opening.

HARROW
Did you always understand the
workings of the Foundation?

Levine eyes the long line of Defense Attorneys.

LEVINE
Ah. Bernard would explain.

HARROW
Did you agree with every decision?

LEVINE
We... voted. So, yes.

Harrow leans in, kindly.

HARROW
Do you think you might have been
misled by the other executors?

Levine watches all the attorneys, staring back. Stamos
tenses, more and more furious the longer Levine hesitates.

LEVINE
Well. Ah, how, ah, would I know?

Harrow tries to contain his frustration.

80 INT. NY SURROGATE'S COURT, COURTROOM - DAY

80

RICHENTHAL
Were you or any of the other
defendants negligent in your duties
to the Foundation in any way?

LEVINE
No. No. Absolutely not.

Richenthal smiles confidently at the Judge. Stamos sighs in
relief. Kate and Harrow exchange a look, grim.

81 INT. KATE'S BROOKLYN APARTMENT, STAIRWAY - DAY

81

Kate, climbing the stairs in her courtroom clothes, spots her
Landlady ahead with dread - but there's no avoiding her.

LANDLADY

You know that nice Mr. Reis called me. You should be *ashamed*, after what he's done for your family!

Kate simply looks down and walks past.

LANDLADY (CONT'D)

You don't have anything to say? *Two months overdue now, young lady!*

82 INT. KATE'S BROOKLYN APARTMENT - NIGHT

82

Struggling to focus, Kate tries to get through some Chemistry homework. Her phone begins to ring.

She considers it - but lets it ring until it's silent.

When she looks back, Rothko, from 1968, is standing in the corner of her room, his clothes spattered in paint. He stares at Kate, grimacing in pain, clutching at his diaphragm...

She quickly closes her eyes and pushes her books away.

83 INT. NY SURROGATE'S COURT, COURTROOM - DAY

83

Stamos, snappily dressed, sits on the witness stand.

STAMOS

Rothko was one of the closest friends I've ever had, for well over twenty years.

HARROW

As a painter, he was more successful than you, was he not?

DEFENSE ATTORNEY 1

Objection, relevance!

JUDGE MIDONICK

Overruled.

STAMOS

Maybe in some ways.

HARROW

On average, does his work sell for more than yours?

DEFENSE ATTORNEY 1

Objection, speculation.

JUDGE MIDONICK

Sustained.

HARROW

You had a rivalry with Mr. Rothko, didn't you?

DEFENSE ATTORNEY 1

Objection! Relevance!

JUDGE MIDONICK

Sustained.

Kate, shakes her head: the table of defense attorneys are ruthless. Harrow tries a new tack.

HARROW

Would you agree that Mark Rothko is generally held to be one of the most important twentieth century artists in the world?

STAMOS

No.

Some gasps of surprise from the gallery. Kate straightens, stunned by Stamos's coldness.

STAMOS (CONT'D)

I don't think that's true.

HARROW

Isn't his work shown at the most prestigious museums in the world?

STAMOS

Times have changed. Listen, he was huge in the fifties. Declined in the sixties. In ten years only collectors will know Rothko. To everyone else he'll be an unknown name.

HARROW

Like Stamos?

DEFENSE ATTORNEY 1

Objection!

Stamos bristles. Judge Midonick chuckles. Kate grins. Even Levine is amused.

STAMOS

Like a lot of forgotten artists.

HARROW

When the decision was made to sell -
did the Foundation meet with any
other art dealers besides
Marlborough?

STAMOS

They're the best.

HARROW

In what month did the Foundation
close the deal with Marlborough?

STAMOS

May, 1970.

HARROW

And when did Marlborough take you
on, personally, as a client?

For the first time, Stamos hesitates.

STAMOS

May, 1970. But they'd been
interested in my work for years.

HARROW

And they were the only dealer you
approached for the Rothkos?

RICHENTHAL

Asked and answered.

JUDGE MIDONICK

Sustained.

HARROW

When Marlborough sells a Rothko,
what commission do they take?

STAMOS

Fifty percent.

HARROW

When Marlborough sells a Stamos,
what commission do they take?

DEFENSE ATTORNEY 2

Objection, relevance!

JUDGE MIDONICK

Overruled.

STAMOS
...Forty percent.

HARROW
Why do you think it is, that you
got a better deal for yourself?

STAMOS
You'd have to ask Marlborough.

Kate beams at Harrow.

84

INT. NY SURROGATE'S COURT, COURTROOM - DAY

84

RICENTHAL
You've provided hundreds of hours
of work to the Foundation
absolutely pro bono, correct?

STAMOS
Yes. In honor of Rothko. I loved
him like a brother.

RICENTHAL
But doesn't the charter provide a
salary for the executors?

STAMOS
I would never take it.

RICENTHAL
Did anyone ever approach you
seeking Rothko paintings outside of
the law?

STAMOS
Yes.

RICENTHAL
Who was that?

STAMOS
Kate Rothko.

Kate straightens - she can feel everyone looking at her.

RICENTHAL
The artist's daughter.

STAMOS
She was very heated. She might have
been on drugs.

HARROW
Objection! Hearsay!

JUDGE MIDONICK
Overruled.

RICENTHAL
What did she want?

STAMOS
She wanted the Foundation to give
her paintings so she could give
them away to her school friends.

Kate audibly winces, almost leaps out of her seat in anger -
But Harrow shoots her a look. The gallery murmurs in shock.

RICENTHAL
And you refused?

STAMOS
Of course! It's ludicrous. Selfish!

RICENTHAL
In other words, you refused in
order to protect Mark Rothko's
legacy?

Stamos watches Kate, with relish.

STAMOS
Yes. Exactly.

Fury burns in Kate's face: but there's nothing she can do.

85

INT. NY SURROGATE'S COURT, COURTROOM - DAY

85

HARROW
The state calls Bernard Reis.

RICENTHAL
Sidebar, your honor?

They approach the bench. Richenthal passes two copies of a
document to Midonick and Harrow.

RICENTHAL (CONT'D)
Mr. Reis won't be able to testify.

JUDGE MIDONICK
Chambers.

86

INT. JUDGE'S CHAMBERS - DAY

86

JUDGE MIDONICK
He's in the hospital?

RICENTHAL
No. Just under strict bedrest.

HARROW
Your honor, this document - it's
malingering.

RICENTHAL
Hey now -

HARROW
He *may* have suffered a heart attack
at some point this year? Come on -

RICENTHAL
This is signed and authorized by -

HARROW
He's our key witness!

JUDGE MIDONICK
*Let's not have anyone die in our
courtroom, shall we?* Mr. Reis is
excused from testifying.

87

INT. NY SURROGATE'S COURT, CORRIDOR - DAY

87

As Harrow rounds the corner, Kate darts towards him,
distraught.

KATE
He can just lie like that? And you
can't do anything? And Mr. Reis
doesn't even have to come? He's the
main one! Without him we don't -

Harrow puts a hand on Kate to calm her as some MEN in SUITS
walk past, glancing over at the desperation in her voice.

HARROW
I know. I know. It's bullshit.

KATE
Can't you force him to come in?
None of this is fair!

HARROW

But it's how it works. We'll just have to go at it from the other side.

88

INT. KATE'S BROOKLYN APARTMENT - DAY

88

Kate's door opens to reveal a stack of envelopes under the door: the top one from Brooklyn College.

She tosses her keys down and opens it up: *...As a result you have been placed on ACADEMIC SUSPENSION...*

When she looks up, Rothko is standing in the corner, staring in pain in his paint-spattered clothes, his hand clutching at his diaphragm.

The hand holding his brush goes slack, red paint dripping on the carpet...

A BANG on the door makes her jump. She turns, tense.

ILYA (O.S.)

Kate? Kate.

Part of her wants to just hide. But she swings the door open. Ilya looks back at her, concerned. A long silent beat.

Footsteps echo on the stairs outside. Kate's eyes flicker down: someone coming up.

ILYA (CONT'D)

Can I come in?

She nods and lets him in as the Landlady comes up the stairs.

They stand there in uncomfortable silence.

ILYA (CONT'D)

I called but you never pick up. You haven't been to class in weeks.

She turns and tosses down her mail and takes off her shoes. He notices the photo of *Homage to Matisse*, taped to the wall.

ILYA (CONT'D)

I've been reading in the paper -

KATE

I don't wanna talk about it.

ILYA

How's Topher?

KATE

Fine.

ILYA

The taxi thing's been working out.
I thought maybe -

KATE

Listen I can't do this. Okay?

ILYA

Do what?

KATE

Whatever this is. It's - it's too
much. Please go.

She walks into the kitchen - but she looks over and ROTHKO'S ASSISTANT stands there in a paint-covered apron, a concerned look on his face. Kate's face falls. She knows what's coming and it can't be avoided. She turns and follows his look -

89 INT. ROTHKO STUDIO - EAST 69TH STREET, BACK ROOM - DAY 89

Rothko, standing as Kate saw him in her apartment - suddenly glassy-eyed, his face contorted in pain, his hand clutching his diaphragm.

The cigarette drops from his mouth. His hand balls up.

Kate sees the Assistant straighten, watching him.

ROTHKO'S ASSISTANT

Rothko? Are you okay?

The hand holding his brush goes slack, red paint dripping on the studio floor...

90 INT. KATE'S BROOKLYN APARTMENT - DAY 90

ILYA

Kate?

KATE

Just leave me alone! Just - get
out!

He watches her in silence - then moves off to the door.

She cradles her head in her hands as she hears the door open, then after a long moment, close.

She suddenly straightens: what am I doing?

She runs back to the door and tugs it open.

91 INT. KATE'S BROOKLYN APARTMENT, STAIRWAY - DAY (CONTINUOUS) 91

Ilya turns in surprise. She runs up to him and wraps her arms around him.

KATE

I'm sorry. I'm sorry. I just don't
want to lose you too.

92 INT. METROPOLITAN MUSEUM OF ART, 2ND FLOOR - NIGHT 92

Harrow, still dressed in his courtroom clothes, stands a few feet from one of the Met's Rothkos. His eyes rove the canvas.

LOUDSPEAKER

*The museum will be closing in five
minutes.*

But Harrow doesn't move. It's more than contemplation. It's communion.

He stands there, the only person in the whole room.

93 EXT. NY SURROGATE'S COURT - DAY 93

As Ilya and Kate approach from down the street, a crowd of PRESS can be seen milling about the outer doors of the courthouse. Kate spots Harrow.

KATE

Gus! What's going on?

HARROW

Marlborough hired a PR firm. Who
stirred up the press. Listen:
ignore anything they say. Don't
answer, no matter what, okay? Don't
say a word.

Kate and Ilya share a look, steeling themselves. They push through the crowd, barraged by reporters, flashes going off.

REPORTER 1

Ms. Rothko! Does alcoholism run in
the family? Is it true you use PCP?

REPORTER 2
Didja already take any
paintings?

REPORTER 3
How much money are you
looking to get?

REPORTER 4
Why did you hate your Dad?

Kate almost bites on this one, enraged - but Ilya pulls her
into the courthouse -

94 INT. NY SURROGATE'S COURT, LOBBY - DAY (CONTINUOUS) 94

Traumatized, Kate collects herself in the safety of the
marble lobby: nothing could have prepared her for the
savagery she just went through.

Across the wide space, she sees Frank Lloyd, smiling and
shaking hands with some of the defense team, a flower in his
lapel. He gives her a cordial wave.

95 INT. NY SURROGATE'S COURT, COURTROOM - DAY 95

Frank Lloyd smiles on the stand, glowing with confidence.

LLOYD
I was born in Vienna, Austria. I am
now a citizen of the UK in the
Bahamas, though for work I am all
over. London, Zurich, Rome, Paris.

HARROW
You're considered one of the most
important art dealers in the world,
an expert, is that fair to say?

LLOYD
Thank you, I'm flattered.

Snickers from the audience - but Kate isn't amused. She
catches Levine, watching her. He quickly turns around.

HARROW
In May 1970, Marlborough purchased
one hundred Rothkos from his
estate. Then a second group, at
least 698 works, consigned at a
fifty percent commission, correct?

LLOYD
I don't recall these small details.
This is for secretaries.

HARROW

Would you like to review the contracts?

LLOYD

No, you may proceed.

Titters from onlookers as Lloyd takes the role of judge.

HARROW

Was that a typical kind of deal for Marlborough?

LLOYD

I suppose. Fifty percent is our standard rate. Higher than other galleries. You know, you can ride in a Rolls or a Volkswagen. If you want the Rolls, it's going to cost you. But it pays in the long run.

Midonick chuckles. The audience eats this up.

HARROW

Within a few weeks, Marlborough had sold thirty of the first hundred for a total of 2.4 million dollars.

LLOYD

You have a question?

HARROW

Would you say it's typical for Marlborough to negotiate a purchase price that's twenty percent of the sales price?

LLOYD

It's good business. Good business is typical of me. What we buy is worthless. I mean this. We buy four dollars of paint on twelve dollars of the same cloth as a hobo's tent. What makes this worth anything? Me, Mr. Harrow. We take this smear of color and we tell all the stories of how beautiful it looks and how important it is, and we spin the coarse cloth into a golden dream, a dream people want to own, and we make whoever made it famous. *This* is what makes it art. And if you don't understand this - you're naive.

The gallery's in rapture of this charming man. Kate looks around in disbelief. Harrow's hand moves to his side for a moment - a sudden twinge of pain - but he pushes on.

HARROW

The, ah, deal with the Foundation,
who - what individual - proposed
the terms?

LLOYD

It was negotiated.

HARROW

An arm's length negotiation?

LLOYD

As much as any.

Lloyd notes Harrow's physical discomfort as he hands Lloyd a document. Kate, in the gallery, also senses something's off.

HARROW

This is exhibit 128. Can you tell
me what it is?

LLOYD

A xerox of a check.

HARROW

From your gallery, Marlborough New
York, made out to the Mark Rothko
Foundation, yes? It shows both
sides of the check?

LLOYD

Yes.

HARROW

Who from Marlborough signed it?

Lloyd squints at the check skeptically.

HARROW (CONT'D)

Bernard Reis, Director of
Marlborough New York, correct?

LLOYD

If you say so.

HARROW

And who endorsed it, on the other
side, for the, ah, for the
Foundation?

LLOYD

I suspect you're about to tell me.

Chuckles from the gallery.

HARROW

It's also Bernard Reis, Mr. Lloyd.
That's not arm's length, it's the
same hand. He wrote and endorsed
the same check. Negotiation with
your own employee is price
collusion! It's fraud!

RICHENTHAL

Objection. Argumentative -

HARROW

You and Reis clearly -

Harrow freezes, grimacing in pain, clutching his diaphragm:
the exact pose Kate saw Rothko in. She stiffens in horror.

JUDGE MIDONICK

Mr. Harrow?

A man in the gallery near Kate stands up from his seat:
Rothko's Assistant.

ROTHKO'S ASSISTANT

Rothko? Are you okay?

Harrow collapses, knocking his chair over.

JUDGE MIDONICK

Call a medic!

As everyone rushes towards him -

96 INT. ROTHKO STUDIO - EAST 69TH STREET, BACK ROOM - DAY 96

Kate, dressed for court, and the Assistant rush towards
Rothko, lying on the studio floor, too pained to speak.

ROTHKO'S ASSISTANT

Hold on. I'll call an ambulance!

Kate can only watch in dread, her face full of worry, as
Rothko is obscured by men in suits from the courtroom.

97 INT. REIS TOWNHOUSE, MAIN FLOOR - NIGHT 97

Stamos thirstily gulps a martini, grinning.

REIS
In the middle of questioning?

STAMOS
Lloyd just watched him drop.

They share a dark chuckle at the bizarre turn of events. Reis sips his own martini, thoughtful.

REIS
Did it seem... serious?

Stamos eyes Reis, who seems quite healthy himself.

STAMOS
You think he faked it?

Reis's smile fades, irritated. Stamos finishes his drink.

STAMOS (CONT'D)
They wheeled him out. Either way,
her goose is cooked. Lloyd had them
eating out of his hand. - I feel
like another, do you?

Reis is more circumspect. He darkens.

REIS
Lloyd's arrogant. Makes him sloppy
with details.

98 INT. KATE'S BROOKLYN APARTMENT - NIGHT

98

Kate, still in shock, calls over her shoulder as she changes out of her courtroom clothes.

KATE
Was it an aortic aneurysm?

Ilya, making sure to face away, finishes a phone call.

ILYA
Thanks so much. - What?

KATE
It's like a heart attack. My Dad
had one once. It was awful.

ILYA
Perforated ulcer, they said.

KATE
He'll be okay, right?

ILYA

Yeah.

He can hear Kate sit. He cautiously turns.

ILYA (CONT'D)

Hey I'm gonna grab us some takeout.

KATE

They've been tearing him to pieces
in there. All those expensive
attorneys. Money money money.

She turns to Ilya as he swings her door open.

KATE (CONT'D)

I wish they were worthless.

99

INT/EXT. KATE'S APARTMENT BUILDING, VESTIBULE - NIGHT

99

As Ilya walks towards the door to the street, the Landlady hands him a form.

LANDLADY

Give this to your girlfriend. Three
weeks, she has.

ILYA

Oh, girlfriend. I, ah -

Her own door shuts in his face. It's an EVICTION NOTICE. He looks gloomily down at it as he swings open the street door, then looks up in surprise:

Levine stands on the steps outside, frozen and shocked, as if caught in the act - he clearly didn't expect to be seen.

LEVINE

Tell her - I just want it to go
away.

Levine quickly turns and walks off. Ilya looks down: a large cardboard BOX sits on the doorstep.

100

INT. KATE'S BROOKLYN APARTMENT - NIGHT

100

Surprised, Kate lets Ilya back in.

KATE

What's that?

ILYA

A guy outside left it.

She opens it up - inside is another box, made of metal.
ROTHKO written on it in large letters.

ILYA (CONT'D)

I think - it was Levine?

Kate looks at him sharply and swings the box open. Inside are
BOXES of SLIDES - and fat bundles of photographic PRINTS.

ILYA (CONT'D)

Also, ah. Your landlady...

She pulls a photo out: a glorious, FULL-COLOR IMAGE of a
Rothko, with numbers written into the print's white border.

Instantly she's sobbing. Ravenously she fans through the
photographs, a feast of brilliant, blazing color, each one a
treasure.

A life's work.

Ilya crouches, confused and concerned, but Kate smiles
through her tears -

KATE

I never thought - I never thought
I'd see them again. Look - look!

She stares down in joy at a photo of the painting from her
room: *Untitled, 1960*.

KATE (CONT'D)

This. This is the one he gave me.

She runs a finger along the numbers written on the corner of
the print. Then suddenly LUNGES across the room for her
backpack, tears it open, pulls out her notebook.

ILYA

What? What is it?

KATE

My notes - the - the numbers from
the stockbook! Look - the same kind
of numbers - this must be the
inventory that Levine made.

She beams at Ilya as she realizes -

KATE (CONT'D)

We can track them now! Here - help me clear this wall. Everything on that side.

101 INT. KATE'S BROOKLYN APARTMENT - NIGHT

101

Open Chinese food cartons sit amidst a sea of color photos.

One wall's been cleared, the furniture piled on the other side of the room, so that Kate and Ilya can pin the photos up into three categories: MARLBOROUGH. SOLD: EUROPE. SOLD: US.

Kate takes in the growing mosaic of images.

KATE

So many sold.

Ilya flips through Kate's notes, cross-references a number, then pins a Rothko under the first section.

KATE (CONT'D)

There's no number on this one. I've never seen it.

Kate pauses, looking at the photo - her father's last painting, the one we saw him paint earlier. She flips the photo over: written on the back: *UNFINISHED RED, 1970*.

KATE (CONT'D)

Unfinished Red. He must have painted this right before...

Ilya takes a look.

ILYA

Kinda looks like your painting.

KATE

No it doesn't.

She glance up to see Ilya has just pinned a photo of *Homage to Matisse* under SOLD: US.

KATE (CONT'D)

Come on, it's upside down!

ILYA

Sorry.

As she rises and flips the image, she watches Ilya move a painting from SOLD: EUROPE to SOLD: US - *Yellow Expanse*, the painting we saw Bunny Mellon admiring.

KATE
Ilya. Stop. What are you doing?

ILYA
No no, look. Sold in the US.

KATE
You're doing it wrong.

ILYA
I'm not, look!

Kate flips back and forth between two pages, puzzled.

KATE
They - sold the same one twice.

ILYA
Seems like a lot of 'em were. How's
that even possible?

Kate's eyes light. She looks up at Ilya with a wild grin.

KATE
That slimy Austrian creep!

102 INT. HOSPITAL, HALLS - DAY 102

We move with Kate as she rushes through the halls, frantic with adrenalin and sleep-deprivation, clutching her notebook and a folder.

KATE
317. 317...

A door off the hallway is ajar: no number. Inside, she can see someone is in the bed. She steps inside -

103 INT. HOSPITAL, ROTHKO'S ROOM - DAY 103

The man in the bed is Rothko: it's 1968. LITTLE TOPHER, 4, holding a balloon, pushes past Kate and runs to the bed.

TOPHER
Daddy!

But it's all too much for Rothko: he stiffens, invaded.

ROTHKO MELL
No no Topher. Stop. Topher! Gentle! - I'm sorry.

Mell moves past into the room as Kate lingers by the doorway.

TOPHER
Mom said your heart broke.

MELL
Topher! Dad's -

ROTHKO
Go home. Take them home.

Kate, still in the doorway, sees her mother freeze, shocked and a little hurt.

MELL
The kids are worried. They -

MAN'S VOICE (O.S.)
It's too much, Mell. Go home like he says.

Mell turns in surprise - there's a man in the room no one had noticed, but we can't see him from where Kate stands. Mell's face changes to fury.

MELL
Do you ever fucking leave?

ROTHKO
Mell. Just take them home.

MAN'S VOICE (O.S.)
Give the man some room.

Kate steps fully into the room so she can see who it is: Bernard Reis. He turns and looks at Kate with disgust.

LOUDSPEAKER
Dr. Schwartzman, to Bariatric...

Kate turns -

104 INT. HOSPITAL, HALLS - DAY 104

...and she's back in the hallway again, in 1971.

105 INT. HOSPITAL, HARROW'S ROOM - DAY 105

His copy of the *Post* lies discarded as Harrow sits in his hospital bed, looking through Kate's photographs.

HARROW
All from the early 50s. This one was in the MoMA show in '61.

Kate smiles, touched by how much Harrow now knows.

HARROW (CONT'D)

So he's cherry-picking the ones
that'll sell for the most.

KATE

First, he sells them to these
galleries in Europe. Like -
Bernini, in Liechtenstein. But then-
he sells the same exact paintings
again - even though technically
they weren't his to sell anymore.

HARROW

And these second buyers, we don't
know who they are.

KATE

And this same kinda thing happened
over and over.

She shows him another page of her notes.

KATE (CONT'D)

They sold fifty to Bernini. More to
companies in London. Rome.

HARROW

Not only did they totally ignore
the injunction not to sell - it's
art laundering. Sales on paper for
a token amount, then the art's
parked somewhere until a real buyer
is found. Then the real buyer pays
all the costs, without even knowing
it. And the gallery's real profit
is off the books. Tax free. This is
a hell of a lot bigger than
negligent executors.

KATE

So we can use this in court, right?
When's the next day, Thursday?
You'll be better by then, right?

Kate's smile fades as she watches Harrow close the folder up,
his expression grim.

HARROW

This is all great - but it's not
proof. The only way to prove it
would be to find where the
paintings physically are.

Harrow sighs and shifts, holding his stomach.

HARROW (CONT'D)
Liechtenstein, London, Rome, you
said?

KATE
Yeah.

Wincing, Harrow swings his legs out of bed.

HARROW
They got me on a clear liquid diet.
No coffee for two weeks, can you
believe that? I hope they make good
broth in Liechtenstein.

106 INT. AIRCRAFT (TWA) - NIGHT

106

TWA STEWARDESS (O.S.)
Coffee?

Harrow shakes his head, looking longingly at his Neighbor's
coffee as looks through the files. He lingers for a long
moment, looking down at one of the color photographs.

NEIGHBOR
Modern art, huh.

HARROW
Abstract Expressionism.

The Neighbor scoffs at the high-blown name.

NEIGHBOR
Sure. Whattaya see in a buncha
blobs?

Harrow considers.

HARROW
You know - you'd be surprised.

107 EXT. GALLERY - LONDON - DAY

107

Pouring rain. Harrow alights from a black cab on a quiet side
street and buzzes to enter a heavy, nondescript wooden door.

108 INT. GALLERY - LONDON - DAY

108

HARROW
This is Beaux Arts London, correct?

ENGLISHMAN
Yessir.

Aware he's dripping everywhere, Harrow flips open his briefcase. A flash of pain from his incision makes him wince.

HARROW
Surgery.

The Englishman nods politely, repulsed. Harrow produces a few rumpled photocopies.

HARROW (CONT'D)
Can you confirm that you received
the paintings on this bill of sale?
Ten Rothkos?

The Englishman blinks.

ENGLISHMAN
I'm very sorry sir, but I'm afraid
I'll have to ask you to leave.

109 INT. TAXI (LONDON BLACK CAB) - MOVING - DAY

109

Harrow looks out the window to catch a glimpse of Big Ben.

110 INT. AIRCRAFT (ALITALIA) - DAY

110

ITALIAN STEWARDESS (O.S.)
Un Caffè, signore?

Harrow shakes his head sadly.

111 INT. GALLERY - ROME - DAY

111

A sparse two room gallery with a few pieces of sculpture. One of those businesses whose continued existence defies logic.

Harrow waits in front of a pretty ITALIAN GALLERINA (20).

HARROW
Buongiorno.

She smiles. Harrow shows her one of the color photos.

HARROW (CONT'D)
 Avete... dipinti di... Mark Rothko?

Ah. She hold up a finger: one moment. She picks up the phone and dials, then blasts away in rapid-fire Italian. All Harrow can make out is "Americano" and "Mark Rothko."

She hangs up the phone and deploys the same cold smile.

ITALIAN GALLERINA
 You go now, thank you.

Harrow turns away, but then has another thought.

HARROW
 You know where I can get some soup?

112 INT. TAXI (FIAT) - MOVING - EVENING 112

Harrow fills the back seat of the tiny taxi, pressed up to the window to catch a glimpse of the Colosseum before it's blocked by a bus.

113 INT. AIRCRAFT (LUFTHANSA) - NIGHT 113

GERMAN STEWARDESS (O.S.)
 Einen kaffee?

It smells delicious...

HARROW
 No, grazie. Er, Nein. Prego. Danke.

114 EXT. STREET - VADUZ, LIECHTENSTEIN - DAY 114

Trying to ignore the ache in his gut, Harrow walks along a narrow street, scanning for a building number. His face falls as he finds it.

HARROW
 Vaduz, Liechtenstein. The Wall
 Street of art trading.

It's a POST OFFICE.

115 INT. POST OFFICE - VADUZ - DAY 115

Harrow scans rows of P.O. BOXES, running his fingers along the nameplates. GALLERIA BERNINI... SOCIETE ANONYME POUR DES BEAUX ARTS... MARLBOROUGH ZURICH. MARLBOROUGH INNSBRUCK...

Harrow SLAMS the boxes in frustration.

116 INT. ZURICH AIRPORT PHONE BANK - NIGHT

116

At a pay phone, Harrow sorts out his coins by country.

HARROW

I'm sorry.

KATE (ON PHONE)

But all those P.O. Boxes - That's something. That proves they're all a front, right?

HARROW

It's circumstantial. We needed a Rothko. Just one. One actual painting. But we're out of time.

KATE (ON PHONE)

So... what do we do?

A long silence.

HARROW

We tried, Kate.

Kate's never heard Harrow so low.

KATE (ON PHONE)

What are you saying?

HARROW

I'm saying... I'm so jet-lagged I don't know what I'm saying. I'll see you in court in the morning.

117 INT. KATE'S BROOKLYN APARTMENT - DAY

117

A dialtone on the line. Kate, sitting on her couch, slowly takes the phone from her ear, crestfallen. She leans forward to hang it up - and we cut to the reverse, behind her -

118 EXT. ROTHKO BROWNSTONE, BACK YARD - DAY

118

The couch sits in the back yard of the Rothko brownstone, in 1968, facing the back door. She hangs up the phone on her Brooklyn apartment's scratched table, which sits in the grass, covered with the Rothko photos.

With dread, she stands. She doesn't want to go into the house- but she has to. Topher sits in the grass, watching glumly.

She pushes open the back door...

119 INT. ROTHKO BROWNSTONE, KITCHEN - DAY (CONTINUOUS) 119

...And steps inside as 16-year old Kate.

Mell sits at the kitchen table, her voice a little ragged. She studies a small group of pill bottles as she smokes.

MELL

Who gave you all this?

ROTHKO

Reis. His doctor.

Rothko sways, tipsy, trying to open one of the bottles.

MELL

Your accountant.

ROTHKO

I trust him. That's the end of it.

MELL

Always gotta stick his beak in. You have your own doctor.

He hands her the bottle and she opens it for him. Kate tries to get their attention, but they ignore her.

KATE

Um, Mom? Dad. ...I wanta -

MELL

The man's a parasite.

Rothko washes down the first pill and reaches for a different pill bottle. Kate realizes now isn't the time. She moves on through the kitchen to the stairs.

MELL (CONT'D)

He wants to climb inside your skin and pretend he's you. It's sick.

Rothko strains against the bottle cap.

MELL (CONT'D)

If he told you to leave me would you do that too?

The bottle bursts open and hundreds of pills go everywhere.

ROTHKO
Dear God will you stop!

Kate walks up the stairs...

120 INT. ROTHKO BROWNSTONE, PARLOR - DAY (CONTINUOUS) 120

...and, wearing different clothes, crosses the parlor. Mell stands over Rothko, slumped on the sofa: a jump in time.

MELL
Just try it. You'll feel better.

ROTHKO
My arm shakes when I lift it.

MELL
So paint small ones. You're wallowing.

ROTHKO
I'm doing what you do every day -
but for me, it's *wallowing*. What do
you want, you want me to get up and
tapdance?

Kate passes Topher, playing by himself on the floor, and starts up the stairs...

121 INT. ROTHKO BROWNSTONE, THIRD FLOOR STAIRS - DAY (CONTINUOUS) 121

...Where she passes Mell, sitting on the stairs with a drink: another jump in time.

KATE
Mom? I've been trying to tell you
something.

Rothko calls down from the flight above, over the bannister.

ROTHKO
I'm serious Mell, cut it out!

MELL
Oh, gimme a break.

Kate still can't get a word in.

ROTHKO
Half a bottle yesterday!

MELL

You probably had a whole one.

Kate steps past her mom to the landing, and goes into...

122 INT. ROTHKO BROWNSTONE, KATE'S ROOM - DAY (CONTINUOUS) 122

Her room. She regards the painting Rothko gave her, as her parents' drunk voices come through the walls.

ROTHKO

I can take it, you can't.

MELL

My ass!

ROTHKO

You have a real problem.

MELL

Oh I do. Yes, yes I do. Are you going to talk about it? Are you going to say anything? Valium, Chloral hydrate, Sinequim-

ROTHKO

Sinequan!

MELL

Ohhh I'm soo sorry. Why're you married to me, if I'm so coarse and stupid?

Kate takes an ENVELOPE off her dresser and heads back out...

123 INT. ROTHKO BROWNSTONE, THIRD FLOOR STAIRS - DAY (CONTINUOUS) 123

To the landing, which is now empty: another jump in time. But her parents' door is ajar.

KATE

Dad?

She pushes the door open slightly: her dad sits on the bed in his pajamas, with her mother's head in his lap. He runs his hands through her hair, gently, despondent.

ROTHKO

When I die you'll still have your whole life ahead of you.

MELL
Stop, Bunchy.

Rothko lets out a long, sad sigh. Kate turns away and goes to the stairs, but as she heads down...

124 INT. ROTHKO BROWNSTONE, PARLOR - DAY (CONTINUOUS) 124

She winces at the sound of her parents shouting at each other yet again: standing in the parlor, bickering viciously. Kate walks between them to the front door.

MELL
Only a baby thinks the world
revolves around him.

ROTHKO
You're like a crazy person when
you're like this. Insufferable.

MELL
Then go find someone else to shout
at.

ROTHKO
No-one else *acts like you do*.

MELL
Cause you surround yourself with
ass-kissers. You can't bear to hear
the truth.

ROTHKO
And that's what you are? The great
drunk oracle.

Kate opens the front door and turns.

KATE
I'm moving out.

Mell and Rothko turn and stare - as if they'd forgotten she existed. Kate hands them the envelope.

KATE (CONT'D)
I'm skipping senior year. I'm going
to college in Chicago. And I'm
getting outta here.

Kate trembles with the effort it's taken to speak up like this - but her parents don't seem to care. They swivel back to each other, vicious.

ROTHKO
You did this, see? You put all this
junk in her head.

MELL
You think you invented loneliness?
It's called *life*. Get over it.

Kate looks at her parents sadly. As they continue to argue
she slowly closes the door SHUT.

125 INT. AIRCRAFT (TWA) - NIGHT 125

Harrow's wedged in a seat, dejected, exhausted, and in pain.

TWA STEWARDESS
Something to drink, sir? Coffee?

HARROW
Just some aspirin. Please.

As the Stewardess moves off, he glances across the aisle: a
LITTLE OLD LADY (80s) reads *HOUSE BEAUTIFUL* magazine. He
shifts, tries to find a comfortable position...

But as she turns the page a flash of color catches his eye.

He leans across the aisle.

HARROW (CONT'D)
Excuse me, ah - ma'am, can I -
Attorney General's office...

The startled woman stares, perplexed, as he plucks it away.
He flips through the magazine, the gleam in his eye growing.
Then laughs out loud -

TWA STEWARDESS
Sir?

She's back with the aspirin. He looks up with a crazed grin.

HARROW
You know what - I *will* take that
coffee.

126 INT. NY SURROGATE'S COURT, COURTROOM - DAY 126

A SLIDE PROJECTOR powers on.

Lloyd, in the witness stand, makes himself comfortable.

LLOYD
Everyone loves a show.

The gallery laughs. A SCREEN has been set up so everyone in the courtroom can see. As the lights dim, Harrow sneaks a look at Kate - but she has no idea what he's grinning about.

Harrow clicks the remote: a Rothko blazes onto the screen. Stamos stares accusingly at Levine, who quickly looks away.

HARROW
These are Exhibits 207 to 220. Do you recall any of these paintings?

LLOYD
After a while they all kind of look alike, don't you think?

To Kate's irritation, many people chuckle. The Judge studies the paintings intensely.

HARROW
These are Rothkos that you sold. Were most of your buyers in Europe?

LLOYD
There's less on the market there.

Harrow lands on *Yellow Expanse*.

HARROW
Surely you remember this one?
(off Lloyd's hesitation)
Yellow Expanse, 1953. Unique colors. Unusually large. Ten feet by fifteen feet.

LLOYD
Yes, we sold that one.

HARROW
Does this sound right? The day before the court order freezing all sales for the estate - you sold it for \$70k. So the Foundation received half - \$35k.

LLOYD
Yes.

HARROW
And was the buyer Bernini Galleries, in Liechtenstein? Your largest buyer of Rothkos?

Lloyd hesitates for just a moment too long.

LLOYD

That sounds correct.

Click. The next slide shows a glossy magazine spread - the SAME PAINTING, hanging in a massive, opulent room. Kate gasps, cupping her hands over her mouth.

HARROW

Exhibit 221. *House Beautiful* magazine. *Yellow Expanse*. With its current owner: Mrs. Paul Mellon, in Virginia. Now - how did she get it?

LLOYD

We only brokered the sale.

Harrow clicks the remote. Shocked murmurs from the gallery.

HARROW

Exhibit 222. Mrs. Mellon's receipt for the purchase. For \$420,000. To whom did she make payment?

Marlborough letterhead. Stamos and Levine both stare at the huge price: this is news to them. Lloyd glances at the Judge.

LLOYD

That's what Bernini charged us. We bought it and sold it at cost.

JUDGE MIDONICK

Zero profit?

LLOYD

She's a prestigious client.

HARROW

Prestigious price. Twelve times what the Foundation got. The fair market alive and well, over in Vaduz. Even though the painting hadn't left your gallery.

RICHENTHAL

Objecti-

JUDGE MIDONICK

Overruled.

Judge Midonick leans forward, intrigued.

HARROW

An injunction barred you from selling the Foundation's Rothkos. But when you bought these paintings back, and sold them again, that didn't violate the injunction?

LLOYD

They weren't the Foundation's anymore.

HARROW

And therefore the Foundation wouldn't be entitled to any share of their new, much, much higher prices?

Stamos and Levine stare in horror, aghast, realizing what their trust has cost them. But Lloyd just smiles.

LLOYD

Unfortunately not.

HARROW

And since you didn't make a cent, you wouldn't owe the IRS a thing.

LLOYD

Come out and say it! Because I'm successful you think I'm a cheat.

JUDGE MIDONICK

Mr. Lloyd!

LLOYD

Don't condescend to me.

HARROW

I'll try not to. Where is Marlborough legally incorporated?

LLOYD

Vaduz, Liechtenstein.

HARROW

Would it surprise you that Bernini, and Marlborough, and your biggest buyers of Rothkos - all share the same address in Vaduz?

LLOYD

It's a very small country.

HARROW

Where a business is under no legal obligation to *anyone* to disclose its activities, correct?

Lloyd, still smiling, looks levelly at Harrow.

LLOYD

Well put.

HARROW

So we'd have no way of knowing if you were in fact the owner of all of these companies -

RICHENTHAL

Objection! This is wildly -

JUDGE MIDONICK

Overruled.

HARROW

No way of knowing if you were selling art to *yourself* to avoid commissions and taxes and inflate the sales price. Would we?

LLOYD

No you would not.

For once, Harrow grins. He nods and the lights come back up.

LLOYD (CONT'D)

Oh wipe that smirk off your face.

JUDGE MIDONICK

Mr. Lloyd!

LLOYD

Unglaublich.

Kate beams at Harrow.

127

INT. NY SURROGATE'S COURT, COURTROOM - DAY

127

Harrow stands at the podium: his closing argument.

HARROW

When someone comes into this room - they might see the marble, the lacquered woodwork, the gold leaf - and conclude this Court's basically about one thing: money.

(MORE)

HARROW (CONT'D)

Who gets the money. We've certainly seen all kinds of greed over these weeks. Bernard Reis's comfortable little kickbacks. Stamos's coddled vanity. Levine's need for quick cash. And above all, Frank Lloyd, who like a magician, presto: turns avarice into virtue. The thing is - what's at stake here *isn't money*, despite all the scheming of the defendants. The real wrongdoing, the real injustice, is treating Mr. Rothko's paintings like a commodity. They're not. The thought was anathema to Mark Rothko. Transcendence. That's what these paintings were made for. Now - I don't pretend to be anything like an art expert. But I *can* attest to how remarkable it feels to discover that something so seemingly simple - color, light - can open up a wellspring of feeling. Shouldn't every New Yorker have access to that experience? To the discovery that it's possible? We ask that the executors be removed from the Mark Rothko Foundation so that the artist's work can be preserved and exhibited for the benefit of the People of New York. Thank you.

Harrow takes his seat. Richenthal rises.

RICENTHAL

Your honor, as you know, it's facts, not emotions, which hold sway in this Courtroom. And the facts are clear: there's no wrongdoing here. Unless you count the crime of mistaking Mr Rothko's fading blobs of paint for some kind of inalienable right.

The Judge smiles despite himself at that.

RICENTHAL (CONT'D)

The defendants have vociferously and continuously maintained the frivolousness of this suit. The circumstances around Mr. Rothko's death are very unfortunate.

(MORE)

RICHENTHAL (CONT'D)

But the law is clear: before he died he chose who would have control over his estate - who he knew would represent his interests. And he gave them a clear mandate: to give grants to artists in need. Even his best friends couldn't take a painting home to remember him by. They had to sell. *By law* - they had to sell. The prosecutor wildly oversteps when he makes the dubious leap of logic that the People of New York would care in the slightest about these paintings, no matter how supposedly profound. Has the Attorney General's Office suddenly become the official arbiter of taste? Is it your responsibility as Surrogate to rule on what art is worthy and what isn't? This case threatens to destroy the careers and reputations of men who've put everything on the line to fulfill their obligations to their dear friend. We humbly ask this Court to do what's just: to allow them to continue to guide the Foundation with the clear heads and good faith they've already demonstrated. Thank you.

128 INT. NY SURROGATE'S COURT, LADIES' ROOM - DAY

128

Kate splashes cold water on her face, trying to quell her nerves. With a deep breath she heads for the door - but chickens out and turns back, overcome. She's never wanted anything as much in her life. She closes her eyes.

KATE

A picture has to be miraculous.

129 INT. NY SURROGATE'S COURT, COURTROOM - DAY

129

Everyone in the courtroom sits as Judge Midonick eyes the papers before him.

JUDGE MIDONICK

In the matter of the People of New York versus the Estate of Mark Rothko, the Surrogate's Court finds that Bernard Reis had clearly conflicting fiduciary duties to the Estate and to Marlborough, and that his conduct constituted a breach of fiduciary trust. Furthermore the May 1970 contracts with Marlborough New York demonstrate substantial inadequacy in contract terms that amount to a lack of mutuality and fairness. In short, the Court finds the actions of the executors to have been grossly negligent.

Stamos and Levine wilt in their seats as a low murmur spreads through the courtroom. The long line of attorneys glance in resignation at Harrow. Kate and Ilya beam.

JUDGE MIDONICK (CONT'D)

The Court orders all contracts between the Mark Rothko Foundation and Marlborough New York, hereby rescinded and null and void. It is hereby ordered that Mr. Reis, Mr. Stamos, and Mr. Levine be removed as executors. All Mark Rothko paintings still in the possession of Marlborough New York are ordered returned to the estate.

Kate and Ilya hug: it's all Kate ever wanted.

JUDGE MIDONICK (CONT'D)

The paintings already sold cannot and will not be recalled. The Court has used their final sale price to calculate the extent to which the estate was defrauded. Accordingly, damages are assessed at nine million, two hundred fifty thousand dollars to be split jointly and severally among the defendants Reis, Stamos, Levine, and Marlborough New York.

Gasps in the audience: it's an astronomical sum. Levine stares in shock. Stamos sobs. Midonick scans the gallery.

JUDGE MIDONICK (CONT'D)

Is Mr. Lloyd here?

RICHENTHAL

Ah. Mr. Lloyd has a pressing matter to attend to.

JUDGE MIDONICK

Must be pretty pressing. Additionally the State of New York fines Marlborough New York three million, three hundred thousand dollars for violation of this Court's injunction on sales.

Richenthal and the other attorneys whisper together: whatever. They'll appeal.

JUDGE MIDONICK (CONT'D)

Mr. Harrow, does the Attorney General have a petition for new executors of the Rothko estate?

HARROW

Yes, your honor. We ask that the decedent's daughter Kate Rothko be named executor.

JUDGE MIDONICK

Ah - how old is she?

HARROW

She recently turned twenty-one.

JUDGE MIDONICK

Twenty-one. And you think she's, ah, ready for this kind of responsibility?

HARROW

I think she was born ready, your honor.

JUDGE MIDONICK

Is Miss Rothko here?

Everyone turns towards the gallery. Ilya nudges Kate, who timidly raises her hand, glowing all over.

JUDGE MIDONICK (CONT'D)

Please approach.

Kate nervously crosses the bar and stands before the judge.

JUDGE MIDONICK (CONT'D)

What do you think your father would want you to do with his work?

The emotional rawness of the question throws her for a moment - but then her answer flows out, her nervousness evaporating.

KATE

My father... was trying to make miracles. To make each painting a revelation. Not for everyone all at once. For that one person on that one day who would stand in front of that one painting and it would whisper to her - and wrap itself around her - and she would recognize herself in it, and it in her. Just a glimpse. Like... a smile through tears. I had a painting like that, growing up. He'd want me to make sure his work is somewhere where other people can feel what that's like.

JUDGE MIDONICK

Very well. The Court appoints Kate Rothko executor of the Estate of Mark Rothko. This matter is concluded.

The courtroom erupts into furious, excited conversation - but Kate's too overcome with joy to really process anything. Harrow watches Kate with a grin as she turns and looks at Ilya, in the gallery.

Ignoring everyone else, she runs and wraps him in an embrace.

130

INT. DOWNTOWN BAR - DAY

130

Harrow, ordering at the bar, turns to Kate.

HARROW

What'll you have?

KATE

Oh I don't drink.

HARROW

Well why'd you say -

KATE

You seemed like you needed it.

HARROW

I can't drink, I just had surgery!
What about you?

ILYA

Ah...

HARROW

Seriously?

He turns to the Bartender.

HARROW (CONT'D)

Two of your strongest cokes and a water. ...Kids these days.

ILYA

You think they'll pay up?

HARROW

One way or the other. Lloyd's a crafty man. I bet he got on a plane as soon as he left the courtroom. The Bahamas doesn't extradite.

KATE

I'm so glad this is over. I can't wait to see Topher again. Will you come with me?

ILYA

I'd love to.

Harrow passes out their drinks.

HARROW

Well - cheers. So what're you gonna do now? Finally get caught up on that homework, I guess.

KATE

Actually - as of now, I'm the executor, right?

Harrow watches Kate warily.

HARROW

Yeah...

KATE

I want to go see it.

HARROW

Your painting.

ILYA

They're in some warehouse Marlborough rented, right?

HARROW
You mean *today*?

KATE
But technically - ah, legally - I have the right to see them at any time, right? Especially with the assistant Attorney General along?

Harrow grins. She never stops.

HARROW
You know - it's that kind of talk that got me wrapped up in this mess in the first place.

He turns and points at Ilya's coke.

HARROW (CONT'D)
They let you drive your taxi on that stuff?

131 INT. QUEENS WAREHOUSE - EVENING

131

A NIGHT MANAGER leads Kate, Ilya and Harrow through the dim. cluttered warehouse. Kate's aglow with anticipation. As we move past an area full of wooden crates -

NIGHT MANAGER
236... There. 237. How long're you gonna be?

Everyone stares at the Manager in confusion: he's brought them to a completely EMPTY aisle.

HARROW
I think there's a mistake - can I see that?

The Night Manager shows Harrow a clipboard of wrinkled forms.

NIGHT MANAGER
237. Marlborough New York. Says "Roth-kos," that mean anything?

Kate gapes in horror at the empty shelves. Ilya watches her face, concerned.

HARROW
There should be hundreds of paintings here.

NIGHT MANAGER

I dunno what to tellya. They musta shipped it out.

ILYA

You don't have a way to look up -

NIGHT MANAGER

Freight comes in, freight goes out, okay. We just store it.

KATE

And Lloyd's long gone.

HARROW

We'll find it, Kate. We'll find all of them.

132 INT. REIS TOWNHOUSE, BEDROOM - NIGHT

132

Reis paces, fueled by alcohol, stress, and rage.

REIS

Nine million dollars! And he skips off to fucking Nassau!

BECKY REIS

Well that's good, isn't it? Shows everyone *he's* the only one who was -

REIS

We're on the hook if he doesn't pay. Us! Morty turned traitor. And Stamos doesn't have a fucking cent, so it's me, Becky, it's me and you.

BECKY REIS

All the times we had him over for dinner...

REIS

I made him millions! And he leaves me holding the bag. Always has to have his cake and eat it too.

BECKY REIS

They know where he is, can't they -

REIS

They can't touch him.

On impulse, Reis gulps down his drink.

REIS (CONT'D)
No cake for you this time, Franz.

He calls into the other room.

REIS (CONT'D)
Maribel?

The Maid appears.

REIS (CONT'D)
I need you to make a phone call.

133 INT. HARROW'S OFFICE - NIGHT

133

Harrow, on the phone, stands at his desk, looking at the photos of Rothkos. Despite the hour, everyone else in his office is busy too: full mobilization.

HARROW
We did subpoena them. They're not playing ball. All we have is a -

His secretary knocks to get his attention.

HARROW'S SECRETARY
Caller on line three. Won't say who it is.

HARROW
You take it.

HARROW'S SECRETARY
She says it's about Rothkos.

134 EXT. ROTHKO STUDIO - EAST 69TH STREET - NIGHT

134

Kate stands outside her dad's former studio. It's late: the street's deserted, no lights burn inside the building.

She glares down at the shiny plaque by the door - *The Marlborough Studio* - with eyes raw from crying.

She sits on the front step and hangs her head.

The door swings opens behind her. Her father's voice is full of aggravation.

ROTHKO
Come on, Katie.

Kate from the present turns and looks up - Her father, in 1970: haggard, a little drunk. They've been arguing.

KATE

Oh, Dad.

ROTHKO

Come back inside. Don't be a child.

KATE

I can't bear to do this.

ROTHKO

Then don't!

KATE

But I have to cause it's what I
did... I wish - Dad I wish it all
could've been different -

Rothko sways a little.

ROTHKO

You're not making sense!

Kate's face floods with rage - and when she rises, she's her younger self, 19, back in 1970, seething with anger.

As she steps away from the door, Rothko follows.

KATE

Leave me alone!

ROTHKO

You need to take life seriously.

KATE

Just cause it's not what you want -

ROTHKO

Who is this you're acting like.

KATE

I'm not you! It's my life!

ROTHKO

19 years old. You're a baby! You
think you know it all, but you're -

KATE

Barnard? Radcliffe? You want me to
be a trophy on a shelf.

ROTHKO

I want you to live forever. And you
have no idea how fast time goes by.

KATE

Stop!

ROTHKO

Wasted years, heartbreak -

KATE

Let me waste them, they're mine!

ROTHKO

Life isn't some buffet of treats,
you can just -

KATE

Stop! Enough!

ROTHKO

You used to listen so close. You'd
soak up every single word I said.
What happened to *her*?

KATE

Nothing happened to ME.

She holds a look with her father, fierce. Then turns and
walks away.

ROTHKO

...That only means I know what I'm
talking about.

She stops. A new vulnerability enters his voice.

ROTHKO (CONT'D)

Come back inside, Katie.

She stays silent, but walks on, her eyes welling with tears.

ILYA

Kate!

19-year old Kate glances over - a TAXI pulls to a stop, Ilya
at the wheel. But she turns back to the studio - her Dad's
gone, the door closed. She stares at the dark doorway as Ilya
climbs out and goes to her side.

21-year old Kate quickly wipes her eyes, self-conscious.

KATE

How did you know?

ILYA
Kate, you need to hurry.

KATE
What? Did something -

ILYA
Gus might've found them. Canada.

135 EXT. TORONTO AIRPORT - DAY

135

Kate and Harrow walk briskly alongside uniformed DETECTIVE SUPERINTENDENT HAND (40s).

HARROW
My source said they were shipping
out today.

DETECTIVE HAND
To where? We can try to intercept -

HARROW
All over. Our best chance is
getting to the warehouse while
they're all together.

DETECTIVE HAND
There's hundreds of warehouses in
Toronto. You don't have a name, or
anything?

Harrow shakes his head. The detective looks from Harrow to Kate - his expectations for success plummeting.

DETECTIVE HAND (CONT'D)
I hope you didn't come all this way
for nothing.

136 INT. TORONTO POLICE SERVICE HQ - DAY

136

Kate, exhausted but impatient, accepts a cup of tea from a POLICEWOMAN as she watches Harrow, Hand, and a few other uniformed POLICEMEN deliberate over a large map of the city.

DETECTIVE HAND
We've asked the local galleries who
they use, but no luck so far.

HARROW
There's so little time left, I
think we just have to make an
educated guess.

POLICEMAN
Maybe here. By the freight yard.

DETECTIVE HAND
Just go door to door?

POLICEMAN
Gotta start somewhere.

All this waiting around is killing Kate. She leans over to the Policewoman as the men continue to discuss.

KATE
Can I use your phone?

The woman nods: go ahead. Kate picks up and dials.

137 INT. MARLBOROUGH NEW YORK, RECEPTION - DAY 137

A fashionable, distracted RECEPTIONIST answers the phone as she reads an article in the *Times* about the Rothko verdict.

RECEPTIONIST
Marlborough New York... What Gallery? Oh, Canada? Is it cold up there? Sure I can recommend one. We use it a lot. Hang on...

She pulls a booklet from a desk drawer, flips through it until she finds the right page.

RECEPTIONIST (CONT'D)
No, I'd love to visit though. I thought you all spoke French. I guess I'm all mixed up. Let's see... Okay, here we go, Toronto. You ready?

138 INT. TORONTO POLICE SERVICE HQ - DAY 138

Kate beams, her voice bright and cheery.

KATE
No, you have a wonderful day!

She hangs up and shouts over the din to be heard.

KATE (CONT'D)
Deakin Warehouse! Attwell Drive!

Shocked silence, as everyone swivels to stare at Kate.

139

INT. DEAKIN WAREHOUSE - DAY

139

A compliant WAREHOUSE MANAGER leads Kate, Harrow, Hand, and a half-dozen Toronto Police towards a massive stack of crates.

WAREHOUSE MANAGER

All of this, these two aisles, are
Galleria Bernini.

Hand calls to his officers.

DETECTIVE HAND

All right, let's get 'em open!

KATE

Gently!

DETECTIVE HAND

They're all yours.

The policemen get to work on carefully prying the ends off the crates. Harrow and Kate approach the first crate, as the wooden panel is lifted away - a stunning ROTHKO.

Kate closes her eyes, flooded with relief. She moves off to a another crate as Harrow looks at a third.

KATE

Gus?

Harrow looks up from the crate.

KATE (CONT'D)

Thank you.

He grins.

HARROW

For transcendence? Anytime.

KATE

I hope you know how happy you'd
have made my Dad.

HARROW

I hope you know how proud he'd be
of you.

Kate turns back to the crates - several more have now been opened. Her eyes catch a flash of vivid RED inside one of the nearby crates.

She kneels by the crate and slides it out - and as she does she melts, bursting into tears...

Harrow straightens and watches, moved.

She finally has HER PAINTING back.

She flips the canvas over: in Rothko's brushed handwriting:
"To Kate Rothko".

140 INT. ROTHKO STUDIO - EAST 69TH STREET, FRONT ROOM - NIGHT 140

The fifth movement of Mozart's *Serenade No. 10* swells from Rothko's stereo. February 25, 1970.

Rothko stands in his longjohns, addled, swaying, despondent.

He looks down the hall towards the studio space in the rear - and he sees HIMSELF pass, back in 1962, carrying a canvas.

Spellbound, Rothko follows, down the hall...

141 INT. ROTHKO STUDIO - EAST 69TH STREET, BACK ROOM - NIGHT 141

...And out into the large studio. Mozart echoes in the cavernous space. Rothko lingers by the doorway, watching his 1962 self busy at work: focused, energized, happy.

He turns and he's in the doorway of Kate's room. Gaunt and strung out, 1970 Rothko watches 1962 Rothko - and the glowing, proud face of Young Kate as she listens.

ROTHKO (1962)

A picture has to be miraculous. So
 the most important tool an artist
 has...

Rothko can't stand to be here - it's too painful. He turns back - to the studio, now dark and empty - and walks away from the doorway, his voice in the past receding...

ROTHKO (1962, O.S.) (CONT'D)

...And it takes lots of practice -
 is faith. In yourself...

His expression grim, he moves towards the waiting canvas. In one hand a coffee can of paint, in the other his brush, his cigarette hanging at the corner of his mouth.

ROTHKO (1962, O.S.) (CONT'D)

...That you can make miracles, when
 they're needed the most.

We don't see the canvas as he works, just his face: flooded with emotion, electric, ecstatic.

He knows this will be his last painting.

Behind him, the lights begin to slowly flicker on. In the deep background, a man in a fine suit enters, a flower in his lapel: FRANK LLOYD.

As if Rothko wasn't there, Lloyd glances around appraisingly, then calls out instructions to MARLBOROUGH STAFF MEMBERS, who file in and begin to flip through the paintings leaning on the back wall. The staff begin carrying paintings out.

REIS struts through the room, shaking hands with everyone. Flashes go off: LEVINE, taking photographs. STAMOS, smoking, chats with a young REPORTER, charming him. Lloyd escorts BUNNY MELLON from painting to painting. She clasps her hands, overjoyed.

Tears well in Rothko's eyes. He's locked in concentration on his painting, as behind him his life's work is abused and exploited and looted.

He trembles. His cigarette is all ash. He takes a step back to see the whole canvas.

And once again he's all alone, in the dark studio, everything just as it was.

He looks and looks and looks, welling with sadness - and joy.

We cut to the reverse, behind Rothko - only now it's his 1962 self we're behind - healthy, fully dressed - and we can see what he's just finished painting:

Kate's painting.

1962 Rothko flips the canvas over and quickly paints on the stretcher with black paint: "To Kate Rothko."

He steps back and lights a cigarette and grins with satisfaction.

She'll love this.

CUT TO BLACK.

SUPER:

With the help of the Mark Rothko Foundation, Kate and Christopher Rothko have given over a thousand works of art to museums around the world.

Gus Harrow devoted the rest of his life to protecting artists' rights. In 1986, his Mets won the World Series.

Christopher became a clinical psychologist and musicologist, following his father's love of classical music.

Kate earned her medical degree at Johns Hopkins and went on to a distinguished career as a clinical pathologist. She married Ilya Prizel in 1974.

Kate's painting hangs in their home.